

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

June 28, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

LINDSEY KENT SPRINGER,

Defendant-Appellant.

No. 18-5104
(D.C. Nos. 4:13-CV-00145-SPF-TLW
and 4:09-CR-00043-SPF-1)
(N.D. Okla.)

ORDER

Before **MATHESON, BACHARACH, and McKAY**, Circuit Judges.

This matter is before the court on our order (May 14, 2019) denying Mr. Springer's motion for leave to proceed *in forma pauperis*. There we ordered Mr. Springer to pay his \$505.00 filing fees by June 4, 2019, and warned that failure to timely comply could result in the dismissal of his appeal without further notice.¹ Though the deadline passed more than three weeks ago, Mr. Springer has still not paid the filing fees.

He has instead filed numerous motions. For example, he has moved to vacate the order requiring payment, arguing that the Court Clerk

¹ In denying leave to proceed *in forma pauperis*, we noted that Mr. Springer had certified possession of \$1,300 in a Bureau of Prisons trust fund.

displaced the panel's Article III authority by signing and issuing our order. Mr. Springer is mistaken; the order was decided by the panel and filed by the Court Clerk at the panel's direction. We thus deny this motion.

Mr. Springer has also moved

- for the appointment of counsel,
- to expand the certificate of appealability,
- to reconsider the applicability of his filing restrictions to this appeal, and
- for determination of the status of the Court Clerk, the deputy court clerks, and the government's attorney under the Constitution's Appointments Clause.

But Mr. Springer has not paid the filing fees, so he has not properly begun this appeal. All of Mr. Springer's motions presuppose that he has properly begun his appeal, and he hasn't. Because Mr. Springer never paid the filing fees, we deny these motions.

* * *

We dismiss the appeal and deny all pending motions. Mr. Springer is reminded that he remains obligated to pay the filing fees.

Entered for the Court

Robert E. Bacharach
Circuit Judge