

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 03-cv-00908-RPM

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD R. DAWURSK;  
MARIANNE WILSON, as Trustee of Dolphin Trust; and  
MARIANNE WILSON, as Trustee of Jade Trust;  
JUDITH DAWURSK, a/k/a JUDITH ENGLUND

Defendants.

---

ORDER DENYING EMERGENCY MOTION FOR BILL OF REVIEW AND  
REQUEST FOR TEMPORARY RESTRAINING ORDER

---

On October 26, 2009, a person identifying himself as “Jimmy Allen Holden, *pro se* and as Next Friend of defendant Ronald R. Dawursk” filed a motion captioned “Emergency Motion for Bill of Review and Request for Temporary Restraining Order.” [Dkt. 137.] The motion seeks a stay of the foreclosure sale of the Dawursk residence, which was scheduled to occur on October 28, 2009. In support of that request, the movant argues that judgment should not have entered against Ronald R. Dawursk, asserting that the United States improperly calculated Dawursk’s tax obligations. The movant also asserts that Dawursk was incompetent as a result of alcoholism and for that reason default judgment should not have entered against him.

Jimmy Allen Holden has no standing to seek to enjoin the foreclosure sale. Holden is not a party to this action. Holden does not claim any interest in the real property that is the subject

of the scheduled foreclosure sale. It has not been shown that Defendant Ronald R. Dawursk is incapable of participating in this action.

The Plaintiff's claim against Defendant Ronald R. Dawursk was reduced to final judgment on April 21, 2008. The movant's attacks on the judgment are improper and untimely. The movant's *pro se* status does not excuse the motion's defects.

Accordingly, it is

ORDERED that the "Emergency Motion for Bill of Review and Request for Temporary Restraining Order" [Dkt. 137] is denied.

Dated: November 12, 2009

BY THE COURT:

s/Richard P. Matsch

---

Richard P. Matsch, Senior District Judge