

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 06-cv-01702-MSK-BNB

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

CONNIE RICOTTA,

Defendant.

OPINION AND ORDER DENYING MOTION FOR RECONSIDERATION

THIS MATTER comes before the Court pursuant to the Defendant's *pro se* Motion for Reconsideration (# 4).

The Court's docket does not reflect whether the prior remand order has been served and carried out. If it has, the Court lacks jurisdiction to consider any further filings. *See e.g. Aetna U.S. Healthcare, Inc. v Hoechst Aktiengesellschaft*, 67 F.Supp.2d 1242, 1245 (D. Kan. 1999). Even assuming the Court had jurisdiction to reconsider, it would nevertheless deny the Defendant's motion. It is undisputed that the claims asserted on the face of the Complaint – proceedings under Colorado's foreclosure laws – do not present a federal question. *Franchise Tax Board v. Construction Laborers Vacation Trust For Southern California*, 463 U.S. 1, 9-11 (1983), *citing Taylor v. Anderson*, 234 U.S. 74, 75-76 (1914). The Defendant's assertion that proceedings in Colorado courts are federal in nature is frivolous, even by the liberal standards applicable to *pro se* pleadings.

Accordingly, the Motion for Reconsideration (# 4) is **DENIED**. The Court advises the Defendant that it lacks any further jurisdiction over this proceeding, 28 U.S.C. § 1447(d), and will disregard any further filings in this case.

Dated this 6th day of September, 2006

BY THE COURT:



Marcia S. Krieger
United States District Judge