

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02480-BNB

ERIC HOUSTON,

Plaintiff,

v.

WARDEN DANIALS,  
ASISTANCE [sic] WARDEN HALLARD,  
ASISTANCE [sic] WARDEN MALUSINIC,  
T-LOYD COMPLEX CAPTAIN,  
SIS HILL, also known as  
SIS U. HILL,  
UNIT MGR. BARKER,  
LIEUTENANT WELLS,  
LIEUTENANT VILLAPONDA, also known as  
LIEUTENANT VILLAPONDO,

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JAN 29 2010

GREGORY C. LANGHAM  
CLERK

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ORDER TO STRIKE

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This matter is before the Court on the document that Plaintiff, Eric Houston, submitted to and filed with the Court on January 27, 2010. The document contains expletives and other inappropriate language and comments. Therefore, the document will be stricken pursuant to Rule 12(f) of the Federal Rules of Civil Procedure. **See *Phillips v. Carey*, 638 F.2d 207, 208 (10th Cir. 1981)** (“[I]f the complaint or other pleadings are abusive or contain offensive language, they may be stricken *sua sponte* under the inherent powers of the court.”). “This court simply will not allow liberal pleading rules and pro se practice to be a vehicle for abusive documents.” ***Garrett v. Selby Connor Maddux & Janner*, 425 F.3d 836, 841 (10th Cir. 2005)** (internal

quotation marks and citation omitted). Mr. Houston is cautioned that any such documents he submits to the Court in the future will justify the dismissal of the instant action. Accordingly, it is

ORDERED that the document that Plaintiff, Eric Houston, submitted to and filed with the Court on January 27, 2010, is stricken pursuant to Rule 12(f) of the Federal Rules of Civil Procedure. It is

FURTHER ORDERED that the Mr. Houston is cautioned that any such documents he submits to the Court in the future will justify the dismissal of the instant action.

DATED January 29, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-02480-BNB

Eric Houston  
Reg. No. 16891-074  
USP – Florence  
PO Box 7000  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 1/29/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk