

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01319-ZLW

MARY SEVERANCE,

Plaintiff,

v.

MEREDITH WILLIAMS, Executive Director for Public Employees Retirement
Association in his individual and official capacity,
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION,
JOHN SUTHERS, in his individual and official capacity,
GREGORY SMITH, Attorney in his individual and official capacity,
JENNIFER KABAT, Attorney in her individual and official capacity,
INTERNAL REVENUE SERVICE,
TIMOTHY GEITHNER, U.S. Treasurer in his individual and official capacity,
DOUGLAS SHULMAN, Commissioner of the Internal Revenue Service in his individual
and official capacity,
SUSAN MEREDITH, in her individual and official capacity,
R. RAY JOHNSON, in his individual and official capacity, and
FRANK SLAUGHTER, in his individual and official capacity,

Defendants.

ORDER

Plaintiff, Mary Severance, has filed *pro se* on June 16, 2010, a "Motion for Leave to Access the Court by Affidavit." The Court construes the motion as a request both to reconsider the Court's order dismissing this action and to file a *pro se* action. Ms. Severance initiated this action by submitting to the Court *pro se* a "Verified Complaint for Deprivation of Rights Under Color of Law," a "Verified Complaint for a Temporary Restraining Order for Injunctive Relief," and a "Verified Motion for Waiver of Filing Fees." In an order filed on June 8, 2010, the Court directed the clerk of the Court

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UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 22 2010

GREGORY C. LANGHAM
CLERK

to commence a civil action and dismissed the action summarily because Ms. Severance had failed to comply with an order that prohibits her from filing any complaint or cause of action in the United States District Court for the District of Colorado without written leave of Court unless she is represented by counsel. **See *Severance v. Langfield***, No. 97-cv-00752-ZLW (D. Colo. Aug. 18, 1997); ***aff'd***, No. 97-1278, 1997 WL 767756 (10th Cir. Dec. 11, 1997) (per curiam). The Court noted in the June 8 order that Ms. Severance is not represented by counsel in this action and she has neither sought nor obtained written leave of Court to file a ***pro se*** action.

Ms. Severance does not explain her failure to seek permission to file a ***pro se*** action at the time she submitted the instant action, and the Court finds her belated attempt to obtain such permission inadequate. First, the complaint and motion seeking a waiver of the filing fee are not on the proper forms as required by the Court's local rules. **See D.C.COLO.LCivR 8.2A.** (providing that "[a] ***pro se*** party shall use the forms established by this court to file an action."). More importantly, a cursory review of the complaint Ms. Severance filed reveals that the complaint does not comply with the pleading requirements of the Federal Rules of Civil Procedure, particularly the requirement in Rule 8(a)(2) that a pleading include "a short and plain statement of the claim showing that the pleader is entitled to relief."

Therefore, the "Motion for Leave to Access the Court by Affidavit," which the Court construes as a request both to reconsider the Court's order dismissing this action and to file a ***pro se*** action, will be denied. Accordingly, it is

ORDERED that the "Motion for Leave to Access the Court by Affidavit" filed on June 16, 2010 is denied.

DATED at Denver, Colorado, this 21st day of June, 2010.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge, for
ZITA LEESON WEINSHIENK, Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-01319-ZLW

Mary Severance
3 Villa Place
Pueblo, CO 81001

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 6/22/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk