

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01386-BNB

BURTON SANDLES,

Applicant,

v.

DENVER DOWNTOWN CORRECTIONAL FACILITY, and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO  
AUG 17 2010  
GREGORY C. LANGHAM  
CLERK

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ORDER

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Applicant, Burton Sandles, is confined at the Denver County Jail in Denver, Colorado. Mr. Sandles initiated this action by filing *pro se* a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court received the initial papers for filing on June 10, 2010. Within two weeks thereafter, Mr. Sandles had filed five motions seeking leave to proceed *in forma pauperis*, four amended habeas corpus applications, and seven open letters to the court that did not request any action. In an order filed on June 24, 2010, the Court cautioned Mr. Sandles that his excessive filings were abusive and that the court can impose sanctions if he continues to abuse the judicial system. Mr. Sandles also was advised that it is not appropriate to file open letters to the court that do not request any action by the court and that the court will not consider any allegations, claims, or arguments that are not presented to the court by motion, pleading, or other filing authorized by the Federal Rules of Civil Procedure or

the local rules for the United States District Court for the District of Colorado.

Unfortunately, Mr. Sandles has persisted in filing open letters to the court. Between June 25 and August 10, 2010, Mr. Sandles filed thirty letters to the court. On August 11 alone, he filed another nine letters. Mr. Sandles' abusive litigation tactic consumes substantial judicial resources to review the letters and determine what action, if any, is requested. It also requires substantial effort by the staff of the Clerk of the Court to process and docket the letters. As a result, the court finds that Mr. Sandles is engaged in a continuing pattern of litigation abuse. He will be ordered to stop filing any further letters to the court or any other paper that is not authorized by the Federal Rules of Civil Procedure or the local rules for the United States District Court for the District of Colorado.

This order is a final warning. "There is strong precedent establishing the inherent power of federal courts to regulate the activities of abusive litigants by imposing carefully tailored restrictions under the appropriate circumstances," *Tripati v. Beaman*, 878 F.2d 351, 352 (10<sup>th</sup> Cir. 1989) (per curiam), including dismissal of an action and the imposition of filing requirements. Accordingly, it is

ORDERED that Mr. Sandles must stop filing any further letters to the court or any other paper that is not authorized by the Federal Rules of Civil Procedure or the local rules for the United States District Court for the District of Colorado.

DATED August 17, 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. 10-cv-01386-BNB

Burton Sandles  
Prisoner No. 0000632568  
Denver County Jail  
P.O. Box 1108  
Denver, CO 80201

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 8/17/10

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_

  
Deputy Clerk