

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01888-BNB

LESTER L. WASHINGTON, MA, M.ED., ABD,

Plaintiff,

v.

COLORADO STATE UNIV. FC, CSUBOG, HDFFS, et al.,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT 22 2010

GREGORY C. LANGHAM
CLERK

ORDER

This matter is before the Court on three motions filed *pro se* on October 13, 2010, by Plaintiff Lester L. Washington. The motions appear on the Court's electronic docketing record as a "Motion for Change of Venue" (doc. #18), a "Motion to Appoint a Special Federal Attorney/Prosecutor" (doc. #19), and a "Motion for Judge Boland and the Chief Judge of the USDC of CO, et al., to Stop the Ongoing CSUFC Initiated Obstruction of Justice" (doc. #21). The Court must construe the motions liberally because Mr. Washington is not represented by an attorney. *See Haines v. Kerner*, 404 U.S. 519, 520-21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). However, the court should not be an advocate for a *pro se* litigant. *See Hall*, 935 F.2d at 1110. For the reasons stated below, the motions will be denied.

The Court notes initially that the motions filed by Mr. Washington are not concise and do not include a clear statement of the relief he is seeking as required by the Court's local rules. *See D.C.COLO.LCivR 7.1H*. Furthermore, although the motions

have different captions and documents #18 and 19 include additional sections labeled "Facts" that are not set forth in document #21, the substance of all three motions appears to be identical. In essence, Mr. Washington is unhappy with various rulings in the cases he has filed in this Court. In the instant action, Magistrate Judge Boyd N. Boland entered an order on September 27, 2010, directing Mr. Washington to file a final amended complaint that complies with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Therefore, the Court will construe the three motions filed on October 13 collectively as an objection to Magistrate Judge Boland's September 27 order. To the extent Mr. Washington actually may be seeking a change of venue in document #18 and appointment of a special prosecutor in document #19, those motions will be denied because Mr. Washington fails to cite the existence of any facts or authority that would justify or authorize such relief.


Pursuant to 28 U.S.C. § 636(b)(1)(A) a judge may reconsider any pretrial matter designated to a magistrate judge to hear and determine where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law. The Court has reviewed the file and finds that Magistrate Judge Boland's order directing Mr. Washington to file a final amended complaint is not clearly erroneous or contrary to law. A review of the pleadings Mr. Washington has filed in this action reveals that those pleadings do not provide a short and plain statement of the claims he is asserting. Therefore, the liberally construed objection will be overruled. Accordingly, it is

ORDERED that the "Motion for Change of Venue" (doc. #18), the "Motion to Appoint a Special Federal Attorney/Prosecutor" (doc. #19), and the "Motion for Judge

Boland and the Chief Judge of the USDC of CO, et al., to Stop the Ongoing CSUFC Initiated Obstruction of Justice” (doc. #21) are DENIED.

DATED at Denver, Colorado, this 22nd day of October, 2010.

BY THE COURT:



CHRISTINE M. ARGUELLO
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-01888-BNB

Lester L. Washington
P.O. Box 494
Fort Collins, CO 80522-0494

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

GREGORY G. LANGHAM, CLERK

By: 

Deputy Clerk