

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**AUG 16 2010**

**GREGORY C. LANGHAM**  
**CLERK**

Civil Action No. 11-cv-01552-BNB  
(Removal from County Court, City and County of Denver, Colorado, Case No. \_\_\_\_\_  
11C00872)

CHARLES FRANKLIN JONES, JR.,

Plaintiff,

v.

THOMAS W. BEAN FOUNDATION,  
VERNE HARRIS,  
THERESA EFFERSON,  
MAPLE ROSS,  
ADAM DOE,  
PUBLIC REALTY,  
DENVER COUNTY COURT,  
LARRY L. BOHNING, in his official and personal capacity,  
JANE DOE, in her official capacity,  
SUZANNE RAZOOK, in her official capacity,

Defendants.

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ORDER FOR SUMMARY REMAND

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Plaintiff, Charles Franklin Jones, Jr., has filed *pro se* a document titled "Notice of Removal Pursuant to 28 Sect. 1441." He has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. The Court must construe Mr. Jones' filings liberally because he is representing himself. *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 the *pro se* litigant's advocate. *Hall*, 935 F.2d at 1110. For the reason stated below, this action will be remanded summarily to the Denver County Court.

The Court has reviewed the Notice of Removal and finds that it is deficient. Mr.

Jones seeks to remove to this Court Case Nos. 11C00872 and 11C59875, two civil actions filed by Mr. Jones in the Denver County Court. Only a defendant in a state court action may remove an action from state court to the federal district court. **See 28 U.S.C. § 1446(a)**. Therefore, this action will be remanded summarily to the County Court, City and County of Denver. Accordingly, it is

ORDERED that this action is remanded summarily to the County Court, City and County of Denver. It is

FURTHER ORDERED that the clerk of this Court shall mail a certified copy of this order to the clerk of the County Court, City and County of Denver.

DATED at Denver, Colorado, this 16<sup>th</sup> day of August, 2011.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, Senior Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 11-cv-01552-BNB

Charles Franklin Jones, Jr.  
1751 Norfolk St #B  
Aurora, CO 80011

Clerk of the County Court - **CERTIFIED**  
Civil Division Clerk's Office  
1437 Bannock Street, Room 135  
Denver, CO 80202

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on August 16, 2011.

GREGORY C. LANGHAM, CLERK

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



Deputy Clerk