

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

SEP 13 2011

GREGORY C. LANGHAM  
CLERK

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02340-BNB

ANDRE J. TWITTY, also known as  
ANDRE TWITTY, also known as  
A. J. TWITTY

Applicant,

v.

BLAKE DAVIS, Warden,

Respondent.

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ORDER OF DISMISSAL

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Applicant, Andre J. Twitty, also known as Andre Twitty and as A. J. Twitty, is a prisoner in the custody of the United States Bureau of Prisons who currently is incarcerated at the United States Penitentiary, Administrative Maximum, in Florence, Colorado. On September 6, 2011, he submitted to the Court *pro se* a motion titled "Motion to Vacate Illegal Judgment, Judgment Void, Lack of Subject Matter, Brief in Support." For the reasons stated below, the motion will be denied, and the action will be dismissed.

Mr. Twitty has been permanently enjoined from filing any new actions in this Court without the representation of a licensed attorney admitted to practice in the United States District Court for the District of Colorado unless he first obtains the Court's permission to proceed *pro se*. See *Twitty v. Davis*, No. 10-cv-02309-ZLW, 2011 WL 6283541 (D. Colo. Oct. 27, 2010) (not published), *aff'd*, No. 10-1525, 2011 WL 117143

(10th Cir. Jan. 14, 2011) (not published). On March 8, 2011, the mandate was entered in the United States Court of Appeals for the Tenth Circuit.

In order to obtain permission to proceed *pro se*, Mr. Twitty must take the following steps outlined in the sanction order in No. 10-cv-02309-ZLW:

1. File with the clerk of this Court a motion requesting leave to file a *pro se* action.
2. Include in the motion requesting leave to file a *pro se* action the following information:
  - A. A list of all lawsuits currently pending or filed previously in the District of Colorado, including the name, number, and citation, if applicable, of each case, and the current status or disposition of each case; and
  - B. A statement of the legal issues to be raised in the proposed new pleading and whether he has raised the same issues in other proceedings in the District of Colorado. If so, he must cite the case number and docket number where the legal issues previously have been raised.
3. Submit the proposed new pleading to be filed in the *pro se* action.

No. 10-cv-02309-ZLW at 10-11, 2011 WL 6283541 at \*5. He has failed to do so.

Accordingly, it is

ORDERED that the motion titled "Motion to Vacate Illegal Judgment, Judgment

Void, Lack of Subject Matter, Brief in Support” is denied and the action dismissed without prejudice because Applicant, Andre J. Twitty, is not represented by a licensed attorney admitted to practice in the United States District Court for the District of Colorado and he has failed to comply with the steps outlined in *Twitty v. Davis*, No. 10-cv-02309-ZLW, 2011 WL 6283541 (D. Colo. Oct. 27, 2010) (not published), in order to obtain the Court’s permission to proceed *pro se*. It is

FURTHER ORDERED that any other pending motions are denied as moot.

DATED at Denver, Colorado, this 13<sup>th</sup> day of September, 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-02340-BNB

Andre J. Twitty  
Reg. No. 18558-018  
ADX – Florence  
PO Box 8500  
Florence, CO 81226-8500

I hereby certify that I have mailed a copy of the **ORDER and JUDGMENT** to the above-named individuals on September 13, 2011.

GREGORY C. LANGHAM, CLERK

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



Deputy Clerk