

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 11-cv-02438-PAB-BNB

ALVIN MOSCH,
PATRICIA C. MOSCH, and
DAVID K. MOSCH, each individually and d/b/a MOSCH MINING COMPANY,

Plaintiffs,

v.

JOHN HENRY, a/k/a JOHN T. HENRY a/k/a JOHN L. HENRY,
UNITED STATES REAL ESTATE CORPORATION, and any one claiming by or through any
of the named persons,

Defendants.

ORDER

This matter arises on identical papers filed by defendant John Henry titled **Proposed Quiet Title Suit John Henry vs Mosch Mining Co** [Docs. ##141 and 142] (the “Papers”). Any relief sought by the Papers is DENIED.

Defendant John Henry is proceeding pro se, and I must liberally construe his pleadings. Haines v. Kerner, 404 U.S. 519, 520-21 (1972). I cannot act as advocate for a *pro se* litigant, however, who must comply with the fundamental requirements of the Federal Rules of Civil Procedure. Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991).

It appears that Mr. Henry is attempting to file a claim against the plaintiffs to quiet title to certain properties. The proposed complaint is largely illegible. However, it is clear that the complaint is drafted for filing in the District Court of Clear Creek County, Colorado. In addition, the complaint is stamped “DRAFT” and is unsigned. The signature block is prepared

for execution by an attorney named Sean Doyle, but Mr. Doyle has not entered his appearance in this case.

Mr. Henry may not assert a claim against the plaintiffs in this manner.

IT IS ORDERED that any relief sought by the papers is DENIED.

Dated November 6, 2012.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge