

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00383-WYD-BNB

THERON JOHNNY MAXTON, # 85599-071,

Plaintiff,

v.

UNITED STATES OF AMERICA;
BOP DIRECTOR, Washington, D.C.;
T.K COZZA-RHODES, Warden F.C.I.;
CHARLES DANIEL, Warden F.C.I.;
S. COLLINS, Health Service, U.S.P.;
LT. ANTHONY, U.S.P. Florence,

Defendants.

ORDER

This matter arises on the following:

1. Plaintiff's **Motion for an Investigation and for Medical Records; Motion for a Direct Order Against SIS Don Clark** [Doc. #47, filed 11/15/2012] (the "Motion");
2. Plaintiff's **Petition for a Restraining Order and Motion for a Court Order** [Doc. #48, filed 11/15/2012] (the "Petition"); and
3. A letter addressed to the Chief Judge [Doc. #69, filed 05/06/2013] (the "Letter").

In his Motion, the plaintiff requests that the court order the Federal Bureau of Investigation ("FBI") to investigate assaults on the plaintiff that were ordered by defendant T.K. Cozza-Rhodes. He further requests that the court order the FBI to remove Special Investigative Supervisors from the prison. The court does not have jurisdiction over the FBI. Accordingly, the Motion is denied.

The plaintiff does not certify that he served copies of the Petition and the Letter on counsel for the defendants. I have previously ordered the plaintiff to serve all papers on counsel for the defendants in accordance with Rule 5, Fed.R.Civ.P., and to include a proper Certificate of Service in all papers filed with the court. In addition, I told the plaintiff that he may not send letters to a judicial officer. I cautioned the plaintiff that “failure to comply with this order may result in sanctions, including dismissal of this case.” *Order issued November 6, 2012* [Doc. #46]. The plaintiff failed to comply with my order. Accordingly,

IT IS ORDERED:

- (1) The Petition [Doc. #48] and the Letter [Doc. #69] are STRICKEN;
- (2) The Motion [Doc. #47] is DENIED;
- (3) The plaintiff shall cease filing letters to judicial officers;
- (4) All papers shall be served on counsel for the defendants in accordance with Rule 5 and shall be accompanied by a proper Certificate of Service; and
- (5) Failure to comply with this order will result in sanctions, including dismissal of this case with prejudice.

Dated May 15, 2013.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge