

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01234-BNB

MIKEAL GLENN STINE,

Plaintiff,

v.

U.S. FEDERAL BUREAU OF PRISONS,
DR. CHRISTOPHER WILSON, ADX,
DR. DAVID ALLRED, Clinical Director, ADX,
MR. ROGERS, EMT, ADX
BLAKE DAVIS, Warden, ADX,
MR. MUNSON, Associate Warden, ADX,
LEWIS T. BABCOCK, Judge,
WILEY Y. DANIEL, Judge,
KRISTEN L. MIX, Magistrate Judge,
CRAIG B. SHAFFER, Magistrate Judge,
BOYD N. BOLAND, Magistrate Judge,
ZITA L. WEINSHIENK, Judge,
PHILIP A. BRIMMER, Judge,
MS. AMY L. PADDEN, Attorney, AUSA,
MR. J. BENEDICT GARCIA, Attorney, AUSA,
JOHN DOES,
MARCIA S. KRIEGER, Judge,
RICHARD P. MATSCH, Judge,
JOHN L. KANE, Judge,
WALKER D. MILLER, Judge,
CHRISTINE M. ARGUELLO, Judge,
MICHAEL J. WATANABE, Magistrate Judge,
MICHAEL J. HEGARTY, Magistrate Judge,
KATHLEEN M. TAFOYA, Magistrate Judge,
DAVID L. WEST, Magistrate Judge,
GUDRUN J. RICE, Magistrate Judge,
A. OSAGIE, Physician Asst., ADX, and
MR. SHOCKY, Correctional Officer, ADX,

Defendants.

DENIAL OF PETITION

Blackburn, J.

Applicant, Mikeal Glenn Stine, is in the custody of the United States Bureau of Prisons and currently is incarcerated at ADX Florence. Mr. Stine, acting *pro se*, has filed a "Petition Pursuant Court Order Seeking Leave of the Court to File a Pro-Se Action" that has six subparts. He also has included four attachments that include (1) a list of his previous cases; (2) an affidavit; (3) a copy of the recommendation that specifies his filing restrictions; and (4) a proposed Prisoner Complaint filed pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).

The Court has reviewed the documents Mr. Stine has filed and finds that he has not complied with the requirements of his filing restrictions under *Stine v. Lappin, et al.*, No. 07-cv-01839-WYD-KLM, Doc. No. 344 at 30-32 (D. Colo. Sept. 1, 2009). Based on the following findings, Mr. Stine will be denied leave to proceed with this action.

The information Mr. Stine is required to provide in his petition seeking leave to proceed with a *pro se* complaint in this Court is very specific. The Petition is to include a statement advising the Court if any defendant to the lawsuit was a party, or any way involved in any prior lawsuit that Mr. Stine has filed and, if so, in what capacity. Mr. Stine must list separately all lawsuits he has filed in any federal or state court in which he was a party, and include the following about each: (1) the name and citation of the case; (2) the jurisdiction; (3) his involvement in each case; (4) the status of the case; and (5) the disposition of the case.

Mr. Stine also is to set forth a second list of all federal and state cases in which a judgment was rendered against him and a third list of all federal and state cases in which judgment was entered in his favor, if any. In the second and third list, he is to include the citation of each case, the amount of the judgment, and if and why any

judgment remains outstanding.

The Petition contains six sections. The sections are titled as follows: (I) Opening Statements; (II) Statement Advising the Court That Parties Herein Were Defendants in Prior Lawsuits Below; (III) List of all Actions in the United States in Which Plaintiff was or is involved in and Status of the Case, as Required by (B) Below a Prerequisite of Being Allowed to File a Pro-Se Action Before the United States District Court/For the District of Colorado; (IV) List of Supreme Court Cases Relating to Plaintiff; (V) Statement of Facts; and (VI) Relief Requested by Petitioner. The information provided in the sections fails to comply with the filing restrictions and requirements set forth in Case No. 07-cv-01839-WYD-KLM, Doc. No. 344 at 30-31.

First, Paragraph (1) of the filing restrictions requires that Mr. Stine provide a statement and three separate lists. At least two of the lists are not stated in proper form or substance in the Petition.


Second, rather than complying with the specifics of his filing restrictions and providing only the information identified above, on Pages Eleven through Fourteen of the Petition, Mr. Stine challenges the findings of Case Nos. 12-cv-00547-MSK, 12-cv-00902-LTB, and 11-cv-02665-LTB ,and the filing restrictions in Case No. 07-cv-01839-WYD. Part of Mr. Stine's filing restriction requires that he "shall not file any motions or other pleadings pertaining to the Petition unless directed to do so." Case No. 07-cv-01839-WYD-KLM, Doc. 344 at 31. Mr. Stine may not circumvent the restriction by inserting pleadings in the Petition.

Based on the above findings, Mr. Stine has failed to comply with the injunction set forth in Case No. 07-cv-01839-WYD-KLM. The Petition, therefore, will be denied.

THEREFORE, IT IS ORDERED that the “Petition Pursuant Court Order Seeking Leave of the Court to File a Pro-Se Action,” Doc. No. 1, is **DENIED** without prejudice.

Dated May 29, 2012, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge