

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-mc-00003-LTB

LOUIS ZAMORA, Injured Worker,
LOUIS MICHAEL ZAMORA, Executor Office,
LOUIS MICHAEL ZAMORA, Estate & Heirs,

Plaintiff(s),

v.

BILL RICHARDSON, Former New Mexico Governor,
SUSANA MARTINEZ, Current New Mexico Governor,
THE STATE OF NEW MEXICO, Principals, Officers, Agents,
WORKERS COMPENSATION ADMINISTRATION, WCA New Mexico,
SHARON GENTRY, Office of General Counsel WCA,
DARRIN CHILDERS, Office of General Counsel WCA,
GLENN R. SMITH, Former Director WCA,
NED FULLER, Current Director WCA,
LAURA FEIGHT, Deputy Director of Judges WCA,
ELAINE TRUJILLO, Deputy Director of Judges WCA,
LORI A. MARTINEZ, Office of Judge WCA,
SHANNON RILEY, Office of Judge WCA,
CHAD C. DEATON, CEO Baker Hughes/BJ Services Principals, Officers, Agents,
PETER A. RAGAUSS, CFO Baker/Hughes BJ Services,
FRED COSSUM, BJ Services/Baker Hughes Farmington New Mexico,
TERESSA SERNA, & Crawford & Co. Principals, Officers, Agents,
GRACE BACA, & Crawford & Company Principals, Officers, Agents,
KAREN A. MEYER, Ing/ReliaStar Life/Compliance,
SUE SANTA, Ing/ReliaStar Life Principals, Officers, Agents,
ARTHUR KUPER, Health One Occupational [sic] Medicine & Rehabilitation At North
Suburban Principals, Officers, Agents,
TIMOTHY S. HALE, Hale & Dixon Attorneys,
PAULETTE J. DIXON, Hale & Dixon Attorneys,
RELIANCE MEDICAL GROUP, Farmington, New Mexico Principals, Officers, Agents,
and,
BOB R. SIMPSON, XTO Energy, Inc. Principals, Officers, Agents,

Defendants.

ORDER OF DISMISSAL

Mr. Zamora initiated this action by filing a “Criminal Complaint” with the Court on January 11, 2012 against numerous defendants. He also filed a “Motion for Review by Appallette [sic]” (Doc. No. 2).

The Court must construe Mr. Zamora’s 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 reasons stated below, this miscellaneous criminal action will be dismissed.

“A private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another.” *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973). See also *Keyter v. 535 Members of 110th Congress*, 277 F. App’x. 825, 827 (10th Cir. 2008); *Cok v. Cosentino*, 876 F.2d 1, 2 (1st Cir. 1989) (per curiam); *Connecticut Action Now, Inc. v. Roberts Plating Co.*, 457 F.2d 81, 86-87 (2d Cir. 1972) (“It is a truism, and has been for many decades, that in our federal system crimes are always prosecuted by the Federal Government, not as has sometimes been done in Anglo-American jurisdictions by private complaints.”); *Winslow v. Romer*, 759 F. Supp. 670, 673 (D. Colo. 1991) (“Private citizens generally have no standing to institute federal criminal proceedings.”). Therefore, the Court finds that Mr. Zamora lacks standing to invoke the authority of United States attorneys under 28 U.S.C. § 547 to prosecute for offenses against the United States.

Furthermore, Mr. Zamora’s “Motion for Review by Appallette [sic]” appears to be barred by the *Rooker-Feldman* doctrine. See *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 486 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923). In his

motion, Mr. Zamora asserts that the “lower inferior court failed to create a remedy that was expeditions” and he appears to be challenging a state worker’s compensation proceeding. Under the *Rooker-Feldman* doctrine, the lower federal courts may not review the judgments of state courts. *Id.* Accordingly, it is

ORDERED that this miscellaneous criminal action is dismissed because Mr. Zamora lacks standing to file a criminal action. Furthermore, the federal district court lacks jurisdiction over the “Motion for Review by Appalette [sic]” pursuant to the *Rooker-Feldman* doctrine.

DATED at Denver, Colorado, this 18th day of January, 2012.

BY THE COURT:

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