

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00293-LTB

COREY BURGESS,

Applicant,

v.

CHARLES A. DANIELS,

Respondent.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE LEWIS T. BABCOCK

This case currently is on appeal before the United States Court of Appeals for the Tenth Circuit. See ECF No. 44. Therefore, this Court lacks jurisdiction over Applicant's Motion to Alter/Amend Judgment or Findings or Additional Findings (ECF No. 50) filed on July 16, 2013, which asks this Court to grant him "permission to appeal." ECF No. 50 at 1.

Alternatively, the Motion to Alter/Amend Judgment or Findings or Additional Findings (ECF No. 50) is DENIED as moot for the very reason that this case already currently is on appeal. Moreover, this case was dismissed on May 2, 2013, and leave to proceed *in forma pauperis* on appeal was denied. Judgment was entered on the same day. Applicant fails to provide any reason for this Court to reconsider the denial of leave to proceed *in forma pauperis* on appeal. In any event, Applicant may reapply in the United States Court of Appeals for the Tenth Circuit, where this case currently is on appeal, to proceed *in forma pauperis* on appeal.

Dated: July 17, 2013
