

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Chief Judge Marcia S. Krieger

Case No. 14-mc-00007-CBS

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEWIS T. BABCOCK,  
BOYD N. BOLAND,  
JOHN W. SUTHERS,  
RICK RAEMISCH,  
STEVE HAGER,  
JAMES FALK,  
DAVID M. THORSON,  
THOMAS K. LE DOUX,  
MICHAEL L. PIRRAGLIA, and  
JOHN W. HICKENLOOPER,

Defendants.

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ORDER OF DISMISSAL

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Lawrence M. Jiron, a prisoner in the custody of the Colorado Department of Corrections, has submitted for filing a Complaint (ECF No. 1) alleging that Defendants have violated a number of federal criminal statutes. It appears that Mr. Jiron seeks to initiate a criminal case against Defendants in the name of the United States of America. However, the fact that Mr. Jiron has listed the United States of America as the Plaintiff in the caption of the Complaint does not make the United States of America a party to this action. For the reasons stated below, the Court will dismiss the action.

Courts universally endorse the principle that private citizens cannot prosecute criminal

actions. *See, e.g., Cok v. Cosentino*, 876 F.2d 1, 2 (1<sup>st</sup> 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. Jiron lacks standing to invoke the authority of United States attorneys under 28 U.S.C. § 547 to prosecute for offenses against the United States. Accordingly, it is

ORDERED that the action is dismissed because Lawrence M. Jiron lacks standing to file and prosecute a criminal action.

DATED this 30<sup>th</sup> day of January, 2014.

**BY THE COURT:**

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a horizontal line underneath it.

Marcia S. Krieger  
Chief United States District Judge