

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02374-LTB

ERIC WILMER GIBSON,

Plaintiff,

v.

ATTORNEY GENERAL OF THE UNITED STATES,  
DEPARTMENT OF LABOR,  
NEW ORLEANS POLICE DEPARTMENT,  
US CUSTOMS AND BORDER PROTECTION,  
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM.,  
EMPIRE TERRACE, LLC, 50.05%, RMA385 PART,  
HUDSPETH COUNTY, Case 498205, and  
ALBERT HEIN, FBI Personnel Security,

Defendants.

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ORDER DENYING MOTIONS TO RECUSE AND RECONSIDER

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On April 15, 2016, Plaintiff submitted a "Motion to Grant Rule 60 Relief-Judgment & Order 01-07-2016," ECF No. 26, and a "Motion to Enforce 'Second Complaint' Dated 12-24-2015," ECF No. 27. These Motions are Plaintiff's third and fourth attempts to challenge this Court's dismissal of this case for failure to comply with a court order. For the same reasons stated in the Court's February 11, and March 14, 2016 Orders, which deny Plaintiff's request to reconsider the dismissal of this case, the April 15 Motions also will be denied.

Furthermore, Plaintiff's Motion to Disqualify Judge Lewis T. Babcock, ECF No. 28, does not warrant setting aside the judgment entered in this case. A district court judge

should recuse if "a reasonable person, knowing all the relevant facts, would harbor doubts about the judge's impartiality." *United States v. Cooley*, 1 F.3d 985, 993 (10th Cir.1993). Nothing in this Court's Order of Dismissal raises a question about this Court's impartiality. "Unfavorable judicial rulings do not in themselves call into question the impartiality of a judge." *United States v. Mendoza*, 468 F.3d 1256, 1262 (10th Cir.2006). Accordingly, it is

ORDERED that all pending motions, ECF Nos. 26, 27, and 28, are denied for the reasons stated above.

DATED at Denver, Colorado, this 18<sup>th</sup> day of April, 2016.

BY THE COURT:

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