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Appendix "A"

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

June 19, 2019

Chris Wolpert
Chief Deputy Clerk

Mr. John Robert Demos Jr.
Washington State Penitentiary
1313 North 13th Avenue
Walla Walla, WA 99362
287455

Mr. Stephan Harris
United States District Court for the District of Wyoming
Office of the Clerk
2120 Capitol Avenue, Room 2141
Cheyenne, WY 82001-0000

RE: 19-8033, Demos v. United States Attorney General, et al
Dist/Ag docket: 2:19-CV-00003-ABJ

Dear Clerk and Appellant:

Please be advised that the court issued an order today dismissing this case.

In addition, pursuant to Federal Rule of Appellate Procedure 41, the Tenth Circuit's mandate issued today, and the court's judgment takes effect.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

EAS/lg

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

June 19, 2019

Elisabeth A. Shumaker
Clerk of Court

JOHN ROBERT DEMOS,

Petitioner - Appellant,

v.

UNITED STATES ATTORNEY
GENERAL; UNITED STATES
SOLICITOR GENERAL; UNITED
STATES OF AMERICA; UNITED
STATES SPEAKER OF THE HOUSE;
UNITED STATES SENATE MAJORITY
LEADER; UNITED STATES OF
AMERICA PRESIDENT,

Respondents - Appellees.

No. 19-8033
(D.C. No. 2:19-CV-00003-ABJ)
(D. Wyo.)

ORDER

This appeal is dismissed for lack of prosecution pursuant to 10th Cir. R. 42.1. A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

Elisabeth A. Shumaker

ELISABETH A. SHUMAKER, Clerk

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK
Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

Chris Wolpert
Chief Deputy Clerk

April 26, 2019

Mr. John Robert Demos Jr.
Washington State Reformatory
P.O. Box 777
Monroe, WA 98272-0777
#287455

RE: 19-8033, Demos, Jr. v. United States Attorney General, et al
Dist/Ag docket: 2:19-CV-00003-ABJ

Dear Appellant:

The court has received and docketed your appeal. Please note your case number above.

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Pro se parties must complete and file an entry of appearance form within thirty days of the date of this letter. An attorney who fails to enter an appearance within that time frame will be removed from the service list for this case, and there may be other ramifications under the rules. If an appellee does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

Please note that a separate fee is due for initiating an appeal to the circuit court. You are required to pay the \$505.00 fee (\$5.00 filing fee and \$500.00 docket fee) to the district clerk or file an application for leave to proceed on appeal without prepayment of fees with the district court within 30 days of the date of this letter, or this appeal may be dismissed without further notice. *See* Fed. R. App. P. 3(e) and 10th Cir. R. 3.3(B).

Appendix "B"

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2019 MAR 29 PM 3:45
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

STEPHAN HARRIS, CLERK
CHEYENNE

JOHN ROBERTS DEMOS

Petitioner,

vs.

UNITED STATES ATTORNEY GENERAL,
UNITED STATES SOLICITOR GENERAL,
UNITED STATES OF AMERICA, UNITED
STATES SPEAKER OF THE HOUSE, UNITED
STATES SENATE MAJORITY LEADER, AND
UNITED STATES OF AMERICA PRESIDENT,

Respondents.

Case No. 2:19-cv-3-ABJ

**ORDER & JUDGMENT DISMISSING PETITION
FOR CONSTITUTIONAL REVIEW**

This matter comes before the Court on John Robert Demos's *pro se* "Petition/Motion for Constitutional Review" (Doc. 1), filed on January 7, 2019.¹ No matter how liberally the Court construes Demos's Petition, it is hard to decipher the purpose of or intention behind it. The Petition is nothing more than four pages of questions about federal law and includes no information about Demos, his case, or what he hopes to accomplish.

Demos is not new to this Court or its rules of civil procedure—the Court has dismissed complaints from him at least four times in the past for failing to state a claim upon which relief may be granted. This time is no different. Demos, as he always has been, is bound by the Federal Rules of Civil Procedure. Rule 8(a)(2) requires any pleading made in this court to contain "a short

¹ Because Demos is proceeding *pro se*, the Court construes his complaint liberally, but it will neither serve as his advocate nor craft legal arguments on his behalf. *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

and plain statement of the claim showing that the pleader is entitled to relief.” This certainly does not meet that requirement.

If Demos is attempting to file a civil action in this Court, he has a long way to go. He must first file a complaint pursuant to Rule 3. In doing so, he must provide much more than he has here—not in length, but in substance. If he is simply seeking legal assistance and asking the Court to answer various legal questions he may have to entertain his curiosity, the Court cannot provide legal advice to Demos and is not amused at the request.

IT IS HEREBY ORDERED the Petition is **DISMISSED**.

IT IS FURTHER ORDERED all other pending motions are **DENIED AS MOOT**.

Dated this 29 day of March, 2019.



Alan B. Johnson
United States District Judge

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
For The District of Wyoming

STEPHAN HARRIS
Clerk of Court

MAGGIE BOTKINS
Chief Deputy Clerk



April 26, 2019

Re: *John Robert Demos vs. United States Attorney General et al*
USDC # 19-CV-03-J
USCA # 19-8033

ATTACHMENTS:

1. Attached are the following documents in connection with the Notice of Appeal filed in the above case concerning *pro se* appellants.
 - a. Copy of Notice of Appeal
 - b. Transcript Order Form with specific dates(for Appellant only)
 - c. Copy of Docket Sheets from both Criminal and Civil cases (in 2254 State custody cases USDC will not have criminal docket sheet)
 - d. Letter from Clerk, Tenth Circuit, U.S. Court of Appeals

Concerning retained counsel and court appointed counsel.

The procedures and appeals packet may be obtained from our website at www.wyd.uscourts.gov.

ORDERING THE TRANSCRIPT

2. In accordance with Rule 10(b) of the Federal Rules of Appellate Procedure, the appellant must, within 14 days after filing the Notice of Appeal, make satisfactory arrangements and order direct from the court reporter a transcript of such parts of the proceedings deemed necessary for this appeal. The order must be in writing using the attached Transcript Order Form and a copy of the order must be filed with this office within the same 14 days after filing the Notice of Appeal. If no transcript is to be ordered, the appellant must file with this office a certificate to this effect, as reflected on the appropriate section of the Transcript Order Form, within the same 14 days.
3. Unless the entire transcript is to be included, the appellant must file with the United States Court of Appeals, within the 14 days following the filing of the Notice of Appeal, a statement of the issues he intends to present on the appeal (The docketing statement required by 10th Cir. R 3.4 fulfills this requirement) and must serve on the appellee a copy of the transcript order (either ordering a transcript or certifying that no transcript is being ordered) and a copy of the statement of the issues.

*

4. If the appellee deems that a transcript of other parts of the proceedings is necessary, he must, within 14 days after service of the order or certificate of no transcript and of the statement of the issues, file and serve on the appellant a designation of additional parts to be included. Unless within 14 days after service of such designation, the appellant has ordered such parts and has not notified the appellee, the appellee may, within the following 14 days, either order the parts or move the District Court for an order requiring the appellant to do so. At the time of ordering a transcript, the party must make satisfactory arrangements with the court reporter for the cost of the transcript, and complete and file the necessary Transcript Order Form.

STEPHAN HARRIS
Clerk of Court

By: /s/ S. Williamson
Deputy Clerk, Operations
