

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 30, 2019

Elisabeth A. Shumaker
Clerk of Court

KENT VU PHAN,

Plaintiff - Appellant,

v.

R. BROOKE JACKSON, Judge,

Defendant - Appellee.

No. 18-1494

(D.C. No. 1:18-CV-03029-LTB)

(D. Colo.)

ORDER AND JUDGMENT*

Before CARSON, BALDOCK, and MURPHY, Circuit Judges.**

On April 21, 2012, Plaintiff Kent Vu Phan sustained injuries in an automobile accident. He has filed multiple suits in state and federal court regarding this accident. One of these suits—Civil Action 1:16-cv-2728-RBJ-CBS, filed in the United States District Court for the District of Colorado—involved Plaintiff suing State Farm Insurance Company for alleged violations of the Americans with Disabilities Act and insurance bad

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

**After examining the appellant's brief and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

judge acts clearly without any colorable claim of jurisdiction." Id. Plaintiff has not made any allegations that Judge Jackson acted outside of the district court's jurisdiction. Nor does Plaintiff present any evidence to support his claims against Judge Jackson.³

AFFIRMED.

Entered for the Court

Joel M. Carson III
Circuit Judge

³ For substantially the reasons stated by the district court, we conclude this appeal is not taken in good faith and that Plaintiff has failed to show the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal. Therefore, we deny Plaintiff's motion seeking leave to proceed *in forma pauperis* on appeal. Rolland v. Primesource Staffing, L.L.C., 497 F.3d 1077, 1079 (10th Cir. 2007) (citing 28 U.S.C. § 1915(a)(3), (e)(2)).