

Opinion of the Circuit Court

APPENDIX A (attached)

Tenth Circuit Court of Appeals Judgment in Case No. 24-4099, dated December 3, 2025

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

ROBERT ANDREW MULLINS, Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; KARIN FOJTIK, AUSA; JAMES WRIGHT, SSA; BRIAN DEAN, SSA; ROBERT STOKES, SSA; SPENCER WALSH, Attorney; GREG MCCLUNE, SSA; CLERK OF THE COURT CACHE FIRST DISTRICT COURT, CACHE COUNTY ATTORNEY'S OFFICE, Defendants - Appellees.

No. 24-4099 (D.C. No. 4:22-CV-00046-DN-CMR) (D. Utah)

ORDER AND JUDGMENT

[Full judgment text has been extracted from the PDF file and formatted for inclusion.]

[The judgment discusses the timeline of Mr. Mullins' conviction, his FTCA claims, and the court's decision affirming the district court's dismissal without prejudice due to statutes of limitations and contract issues related to the MOU.]

Entered for the Court

Veronica S. Rossman, Circuit Judge

Filed: December 3, 2025

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

December 3, 2025

FOR THE TENTH CIRCUIT

Christopher M. Wolpert
Clerk of Court

ROBERT ANDREW MULLINS,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA;
KARIN FOJTIK, AUSA; JAMES
WRIGHT, SSA; BRIAN DEAN, SSA;
ROBERT STOKES, SSA; SPENCER
WALSH, Attorney; GREG MCCLUNE,
SSA; CLERK OF THE COURT CACHE
FIRST DISTRICT COURT, CACHE
COUNTY ATTORNEY'S OFFICE,

Defendants - Appellees.

No. 24-4099
(D.C. No. 4:22-CV-00046-DN-CMR)
(D. Utah)

ORDER AND JUDGMENT*

Before **HARTZ, MORITZ, and ROSSMAN**, Circuit Judges.

Proceeding pro se, Robert Andrew Mullins brought this action alleging federal law enforcement officers provided unlawfully obtained evidence to local officials who then used it to prosecute and convict him. The district court dismissed his action

* After examining the briefs 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. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

without prejudice. He appeals, still proceeding pro se. Exercising jurisdiction under 28 U.S.C. § 1291, we affirm.

I.

Mr. Mullins's former employer found child pornography on his work computer and sent the images to federal law enforcement agents. The federal agents passed the images on to prosecutors in Cache County, Utah, who prosecuted Mr. Mullins. He pled guilty to state criminal charges in 2010.

Twelve years later, in July 2022, Mr. Mullins filed this case, alleging the photographs used to prosecute him had been obtained unlawfully, in violation of a software license agreement. He brought claims for abuse of process and false imprisonment against the United States, the Cache County Attorney's Office and Clerk of Court, and several federal and county officials.

All defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(6), and the district court granted those motions. Although Mr. Mullins's complaint named some non-federal defendants, the court determined it alleged claims only under the Federal Tort Claims Act (FTCA). And because FTCA claims can only be brought against the United States, the court dismissed the claims against all other defendants.

The district court also dismissed Mr. Mullins's claims against the United States as time-barred, reasoning the claims accrued no later than October 2010, when he was sentenced and imprisoned, after which he neither presented them to any federal agency within two years, as required by 28 U.S.C. § 2401(b), nor filed his

complaint within six years, as required by 28 U.S.C. § 2401(a). The district court therefore dismissed the action without prejudice.

This timely appeal followed.

II.

We review de novo the dismissal of Mr. Mullins's claims under Rule 12(b)(6), treating the well-pled factual allegations in his complaint as true and "consider[ing] them in the light most favorable to [Mr. Mullins]." *Chilcoat v. San Juan Cnty.*, 41 F.4th 1196, 1218 (10th Cir. 2022). If a complaint's allegations "show that relief is barred by the applicable statute of limitations, the complaint is subject to dismissal for failure to state a claim." *Jones v. Bock*, 549 U.S. 199, 215 (2007); see also *Plaza Speedway Inc. v. United States*, 311 F.3d 1262, 1266 (10th Cir. 2002) ("We also review de novo a district court's ruling regarding the applicability of a statute of limitations." (internal quotation marks omitted)), *abrogated on other grounds by United States v. Wong*, 575 U.S. 402, 420 (2015) (holding FTCA's time-bars are not jurisdictional). We construe Mr. Mullins's filings liberally because he proceeds pro se. See *Smith v. United States*, 561 F.3d 1090, 1096 (10th Cir. 2009). But we do not supply allegations for him or construct legal theories on his behalf. See *id.*

III.

A.

Mr. Mullins's opening brief, liberally construed, does not contest the district court's conclusion that his complaint only brought claims under the FTCA. We therefore conclude he has waived any challenge to that ruling. See *In re Syngenta AG*

MIR 162 Corn Litig. (Hossley-Embry Grp. II), 111 F.4th 1095, 1112 (10th Cir. 2024) (“[I]f an appellant fails to address an issue in its opening brief, we ordinarily deem that issue waived and decline to consider it.”). And because his complaint included only FTCA claims, we must affirm the dismissal of those claims against all defendants except the United States. *See Smith*, 561 F.3d at 1099 (“The United States is the only proper defendant in an FTCA action.”) (quoting *Oxendine v. Kaplan*, 241 F.3d 1272, 1275 n.4 (10th Cir. 2001)).

B.

Turning to Mr. Mullins’s FTCA claims against the United States, we must conclude, like the district court did, those claims are time-barred. Under § 2401(a), “every civil action commenced against the United States shall be barred unless the complaint is filed within six years after the right of action first accrues.” Mr. Mullins’s claims are subject to the general rule that an FTCA claim “accrues at the time the plaintiff is injured.” *Harvey v. United States*, 685 F.3d 939, 947 (10th Cir. 2012) (internal quotation marks omitted). Applying that rule, the district court concluded Mr. Mullins’s claims accrued no later than October 2010, when he was imprisoned, but he failed to bring his civil action until July 2022. We see no error in that ruling.

Mr. Mullins argues his claims did not accrue “until March 8, 2022,” when he first received “exculpatory evidence,” and insists that, before that date, he had only a general understanding of the relevant information. Aplt. Opening Br. at 1.

We are not persuaded. Rather, as the district court correctly reasoned, this argument is premised on the date Mr. Mullins claims he first obtained evidence to support his claims, not the date he was injured. Because the relevant facts and dates are not in dispute, the date his claims accrued is a question of law. *See Herrera v. City of Española* 32 F.4th 980, 991 (10th Cir. 2022). And “[i]n this circuit, the general statute of limitations accrual rule in non-medical malpractice FTCA cases remains the injury occurrence, and *not* the discovery rule.” *Plaza Speedway*, 311 F.3d at 1267–68 (emphasis added). A “discovery rule” applies only in “exceptional case[s] in which the plaintiff[] could not have immediately known of the injury.” *Id.* at 1268; *see also Bayless v. United States*, 767 F.3d 958, 965 (10th Cir. 2014) (“In ‘exceptional cases . . . the ‘discovery rule’ applies to ‘protect plaintiffs who are blamelessly unaware of their claim because the injury has not yet manifested itself or because the facts establishing a causal link between the injury and the medical malpractice are in the control of the tortfeasor or otherwise not evident.’” (quoting *Plaza Speedway*, 311 F.3d at 1267)).

Mr. Mullins argues his claims did not accrue until he “‘ha[d] a complete and present cause of action.’” Aplt. Opening Br. at 2 (quoting *Wallace v. Kato*, 549 U.S. 384, 388 (2007)). But that rule applies in 42 U.S.C. § 1983 cases, not to FTCA claims, *see Wallace*, 549 U.S. at 388, and Mr. Mullins explicitly argued in district court that his claims were *not* brought under § 1983. Like the district court, we conclude the injury-occurrence accrual rule applies. Based on the record, Mr. Mullins knew of his injury by the time he was convicted, *see Plaza Speedway*, 311 F.3d at

1267; his injury (i.e., his conviction and imprisonment) was manifest at that time, *see Bayless*, 767 F.3d at 965; and the “causal link” between law enforcement obtaining the images from his employer and his conviction was also evident, *id.* We therefore agree with the district court that Mr. Mullins’s claims accrued no later than October 2010, and that he did not file his complaint within six years of that date. Accordingly, we affirm the dismissal of his FTCA claims as time-barred by § 2401(a).¹

C.

Arguing against the dismissal of his action, Mr. Mullins relies on a “Memorandum of Understanding and Agreement” he sent to federal officials in April 2022, shortly before filing this lawsuit. R. at 60–61. In that document, he asserted the claims he later filed in his complaint, sought \$26 million and non-monetary relief to settle his claims, and called for a response within three days. Because the United States did not respond within three days, Mr. Mullins maintains this document is an enforceable settlement agreement.

The “agreement” provides no reason to reverse. First, even treating it as a written presentation of claims under § 2401(b), Mr. Mullins sent it over two years after his claims accrued—too late for his claims to be timely. *See* § 2401(b) (“A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim

¹ Although Mr. Mullins seems to make an argument for equitable tolling in his reply brief, the argument is waived because he did not raise it in his opening brief. *See In re Syngenta*, 111 F.4th at 1112.

accrues . . .”). Second, even if Mr. Mullins’s complaint included contract-based claims, the document is not an enforceable contract or settlement agreement (including under the Tucker Act), because nothing supports the conclusion the United States agreed to it, even implicitly. *See generally, e.g., Scarlett v. Air Methods Corp.*, 922 F.3d 1053, 1064 (10th Cir. 2019) (stating an implied-in-fact contract must be “founded upon a meeting of minds” (internal quotation marks omitted)).

IV.

We affirm the district court’s dismissal without prejudice of Mr. Mullins’s action. We grant his motion to proceed on appeal without prepayment of costs or fees. We deny his motion to disqualify the district court judge. We also deny his motion for an expedited ruling and his “Request to Submit for Decision” as moot.

Entered for the Court

Veronica S. Rossman
Circuit Judge

District Court Opinions and Final Judgment

APPENDIX B (attached)

District Court Opinions Memorandum Decision and Order Granting Motions to Dismiss
Source: Case No. 4:22-cv-00046-DN-CMR, Document 131, Filed 09/30/2024

Judge: David Nuffer

The District Court adopted the Report and Recommendation of Magistrate Judge Romero and dismissed the case without prejudice. The court found the claims were brought under the FTCA, that the United States is the only proper defendant, and that the claims were time-barred under 28 U.S.C. §§ 2401(a)-(b).

Memorandum Decision and Order Denying Motion to Proceed In Forma Pauperis Source:
Case No. 4:22-cv-00046-DN-CMR, Document 138, Filed 11/26/2024

Judge: David Nuffer The District Court denied Mr. Mullins's motion to proceed in forma pauperis on appeal, stating that the appeal was not taken in good faith. The court reiterated that FTCA claims accrue at the time of injury and that Mr. Mullins's claims were untimely and not based on a reasonable argument.

Final Judgment: Dismissal With Prejudice Source: Case No. 4:22-cv-00046-DN-CMR,
Document 132, Filed 09/30/2024

Judge: David Nuffer Pursuant to the Memorandum Decision and Order Adopting the Report and Recommendation and Granting Motions to Dismiss (Docket Nos. 61, 72, & 73), the District Court entered final judgment in favor of the defendants. Plaintiff's cause of action was dismissed with prejudice.

This judgment was signed and entered on September 30, 2024, by District Judge David Nuffer.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

ROBERT ANDREW MULLINS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

**MEMORANDUM DECISION AND
ORDER ADOPTING REPORT AND
RECOMMENDATION AND
GRANTING MOTIONS TO DISMISS
DKTS. 61, 72, & 73**

Case No. 4:22-cv-00046-DN-CMR

District Judge David Nuffer
Magistrate Judge Cecilia M. Romero

The Report and Recommendation (“Report and Recommendation”)¹ issued by United States Magistrate Judge Cecilia Romero on July 30, 2024 recommends GRANTING the following three motions to dismiss: (1) the Motion to Dismiss filed by defendants Spencer Walsh and the Cache County Attorney’s Office (“Cache County Motion”)²; (2) the Motion to Dismiss and Memorandum in Support filed by Defendant Clerk of the Court for Cache First District Court (“Clerk Motion”),³ and (3) the Federal Defendants’ Motion to Dismiss filed by the United States, Karin Fojtik, James Wright, Brian Dean, Greg McClune, and Robert Stokes (“Federal Motion” and together with the Cache County Motion and Clerk Motion, “Motions”).⁴ Plaintiff Robert Mullins (“Mullins”) objected to the Report and Recommendation in his filing titled “Request by Leave of the Court to File Objection to Document 121” (“Objection”).⁵

¹ Report & Recommendation Granting Motions to Dismiss: [61], [72], & [73], docket no. 121, filed July 30, 2024.

² Docket no. 61, filed December 21, 2023

³ Docket no. 72, filed February 5, 2024.

⁴ Docket no. 73, filed March 6, 2024.

⁵ Docket no. 124, filed August 12, 2024.

De novo review has been completed of those portions of the report, proposed findings and recommendations to which objection was made, including the record that was before the Magistrate Judge and the reasoning set forth in the Report and Recommendation.⁶

Construed liberally, Mullins' Objection appears to make two relevant but unfruitful objections. First, Mullins requests a liberal view of his pleadings be taken and essentially asks this court to find a cause of action that would permit authority for jurisdiction regardless of whether the claims are considered to be brought under "28 USC 2671-2680, The Tucker Act under Federal Court of Claims, or § 1983 claims against abuse by USA" ⁷ Although pro se filings are construed liberally, it is not an appropriate "function of the district court to assume the role of advocate for the pro se litigant."⁸

In the Report and Recommendation, the Magistrate Judge found that Mullins brought his claims under the Federal Tort Claims Act ("FTCA"). Because the United States is the only proper party in FTCA claims, the Report and Recommendation recommended the individual defendants should be dismissed.⁹ The Magistrate Judge's analysis is sound. Mullins's Complaint is captioned with the title "Federal Tort Filed under 28 U.S.C. 2671-2680"¹⁰ and repeatedly references the FTCA. And while Mullins now asks the court to interpret his causes of action in any way that survives the Motions, he previously argued in a response to one of the Motions that his claims were not brought under § 1983 or as a collateral attack of his conviction. Just as the Magistrate Judge found,¹¹ Mullins's declared basis for his claims in his Complaint was the

⁶ 28 U.S.C. § 636(b).

⁷ Objection at 6.

⁸ *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

⁹ Report and Recommendation at 6-7.

¹⁰ Federal Tort Filed under 28 U.S.C. 2671-2680, ("Complaint"), docket no. 1, filed July 20, 2022.

¹¹ Report and Recommendation at 6.

FTCA.¹² As the United States is the only proper party for a FTCA claim,¹³ Mullins' claims against the individual Defendants must be DISMISSED.

Mullins also appears to argue that his claims are timely because he did not have certain materials until 2022 that finally made his claim a "complete and present action."¹⁴ This objection is overruled. FTCA claims accrue when the injury occurs, not when discovery occurs.¹⁵ Claims under the FTCA must be brought within six years of the accrual of the right to bring suit.¹⁶ Additionally, tort claims under the FTCA must be presented to an appropriate federal agency with two years of the accrual of a claim.¹⁷ Exceptions to this rule are only made in "exceptional cases in which the plaintiffs could not have immediately known of their injuries."¹⁸ Mullins' complaint is focused on events surrounding his underlying criminal case which occurred in 2009¹⁹ or at latest in October 2010 when Mullins was sentenced and committed to prison.²⁰ Mullins does not demonstrate his case is exceptional – that he could not have immediately known of his injuries -- or any other reason that his claims should not be subject to the standard FTCA statute of limitations.

Mullins admits that even though he did not have the materials he argues delayed the accrual of his claim until 2022, he knew about the documents in 2016 based on a phone call with

¹² Complaint at 1, 7, 21.

¹³ *Smith v. United States*, 561 F.3d 1090, 1093 (10th Cir. 2009).

¹⁴ Objection at 1-2.

¹⁵ *Dahl v. United States*, 319 F.3d 1226, 1228 (10th Cir. 2003)).

¹⁶ 28 U.S.C. § 2401(a).

¹⁷ 28 U.S.C. § 2401(b).

¹⁸ *Id.* at 1229.

¹⁹ Complaint at 4.

²⁰ Docket no 72-1, filed February 5, 2024.

his counsel.²¹ Mullins does not explain what specific document prevented the accrual of his claim or why he could not file a complaint without the document. And regardless, it is the *injury* that sparks claim accrual under the FTCA, and Mullins's alleged injuries all go back to his criminal conviction in October 2010. Under either the two-year limitation period under 28 U.S.C. § 2401(b) or the six-year limitation described in § 2401(a), the filing of Mullins's complaint was not timely and Mullins' claims must be DISMISSED.

The analysis and conclusion of the Magistrate Judge are correct. Therefore, the analysis and conclusion of the Magistrate Judge are accepted and the Report and Recommendation²² is adopted.

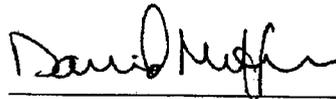
ORDER

IT IS HEREBY ORDERED that the Report and Recommendation²³ is ADOPTED and this case is DISMISSED without prejudice.

The Clerk shall close the case.

Signed September 28, 2024.

BY THE COURT



David Nuffer
United States District Judge

²¹ Objection at 1-2.

²² Report & Recommendation Granting Motions to Dismiss: [61], [72], & [73], docket no. 121, filed July 30, 2024.

²³ Report & Recommendation Granting Motions to Dismiss: [61], [72], & [73], docket no. 121, filed July 30, 2024.

THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ROBERT ANDREW MULLINS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

**MEMORANDUM DECISION AND
ORDER DENYING MOTION TO
PROCEED IN FORMA PAUPERIS**

Case No. 4:22-cv-00046-DN-CMR

District Judge David Nuffer

Robert Mullins (“Mr. Mullins”) seeks leave to appeal *in forma pauperis*¹ the Memorandum Decision and Order² and Judgment³ entered on September 30, 2024. Defendants did not file a response. Mr. Mullins’ Motion to appeal *in forma pauperis* is frivolous, not made in good faith, and DENIED.

BACKGROUND

Mr. Mullins’ Complaint alleges that three members of the United States Department of Homeland Security (“DHS”) and an attorney for the United States transferred unlawfully obtained evidence to a Cache County Attorney, which led to his conviction. Mr. Mullins raises claims under the Federal Tort Claims Act (“FTCA”) for abuse of process, false imprisonment, and malicious prosecution.

¹ Motion to Proceed In Forma Pauperis (“Motion”), docket no. 134, filed under seal Oct, 10, 2024; Notice of Appeal docket no. 133, filed Oct. 8, 2024.

² Memorandum Decision and Order Granting Defendants’ Motion to Dismiss (“Memorandum Decision and Order”), docket no. 131, filed Sep. 30, 2024.

³ Judgment, docket no. 132, filed Sep. 30, 2024.

PROCEDURAL HISTORY

United States Magistrate Judge Cecilia Romero entered a Report and Recommendation that recommended the Court grant the Defendants' Motion to Dismiss.⁴ The Report and Recommendation concluded: (1) the claims against all defendants other than the United States should be dismissed because the United States is the only proper defendant in an FTCA action;⁵ and (2) the FTCA claims against the U.S. Attorney and DHS are time-barred under 28 U.S.C. §§ 2401(a)-(b) because the action was not commenced within six years of it accruing or being presented in writing to the appropriate federal agency within two years after the claim accrues.⁶ The Report and Recommendation noted that Mr. Mullins should have brought his claims at the latest in 2016 because he knew or had reason to know of the existence of the claims in August 2010.⁷

Plaintiff filed an Objection to the Report and Recommendation that argued: (1) the Court should construe his briefing liberally and find a cause of action that would give the Court jurisdiction; and (2) his claims were timely because he did not have certain materials until 2022 that made his claim a "complete and present action."⁸ The Court's Memorandum Decision and Order disposed of Plaintiff's two arguments by noting that: (1) although pro se filings are construed liberally, it is not an appropriate "function of the district court to assume the role of advocate for the pro se litigant";⁹ and (2) "Plaintiff's objection to timeliness is overruled because

⁴ Report & Recommendation Granting Motion to Dismiss: [61], [72], & [73] ("Report & Recommendation") at docket no. 121, filed July 30, 2024.

⁵ Report & Recommendation at 6. "The United States is the only proper defendant in an FTCA action." *Smith v. United States*, 561 F.3d 1090, 1099 (10th Cir. 2009).

⁶ Report & Recommendation at 8-10.

⁷ Report & Recommendation at 9.

⁸ Memorandum Decision and Order at 2-3.

⁹ Memorandum Decision and Order at 2. *Hall v. Bellmon*. 935 F.2d 1106, 1110 (10th Cir. 1991).

FTCA claims accrue when the injury occurs, not when discovery occurs.”¹⁰ The Court’s Memorandum Decision and Order also noted: “Claims under the FTCA must be brought within six years of the accrual of the right to bring suit.”¹¹ Plaintiff appealed the Memorandum Decision and Order.¹²

DISCUSSION

“An appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith.”¹³ “The Supreme Court . . . has held that an appeal is taken under 28 U.S.C. § 1915 in objective good faith when it presents ‘any issue not frivolous.’”¹⁴ “[T]he points on which the appeal is taken [must be] reasonably arguable.”¹⁵ Mr. Mullins’ Motion to proceed *in forma pauperis* is frivolous because his objection does not assert a reasonable argument. Specifically, both arguments that Mr. Mullins asserted in his objection are barred because the Tenth Circuit has held: (1) it is not an appropriate “function of the district court to assume the role of advocate for the pro se litigant”;¹⁶ and (2) FTCA claims accrue when the injury occurs, not when discovery occurs.¹⁷ Mr. Mullins’ claim accrued in August 2010, and he failed to file his Complaint until July 2022, which is twelve years after his claim accrued and six years past the deadline to file an FTCA claim.¹⁸

¹⁰ Memorandum Decision and Order at 3. See *Dahl v. United States*, 319 F.3d 1226, 1228-29 (10th Cir. 2003).

¹¹ Memorandum Decision and Order at 2 (citing 28 U.S.C. § 2401(a)).

¹² Notice of Appeal at 1, docket no. 133, filed October 18, 2024.

¹³ 28 U.S.C. § 1915(a)(3).

¹⁴ *Menefee v. Werholtz*, 368 Fed. App’x 879, 884 (10th Cir. 2010) (quoting *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962)).

¹⁵ *Sejeck v. Singer Mfg. Co.*, 113 F. Supp. 281, 282 (D. N.J. 1953).

¹⁶ Memorandum Decision and Order at 2; *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

¹⁷ Memorandum Decision and Order at 3; see *Dahl v. United States*, 319 F.3d 1226, 1228-29 (10th Cir. 2003).

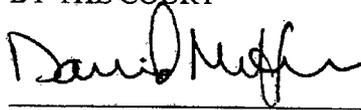
¹⁸ Mr. Mullins claims are also barred by 28 U.S.C. § 2401(b) because this statute required Mr. Mullins to present his claim to the appropriate federal agency within two years of his claim accruing and he waited to notify the relevant federal agency until April 22, 2022, which is twelve years after his claim accrued. Report & Recommendation at 3.

CONCLUSION

IT IS HEREBY ORDERED that Mr. Mullins' Motion to appeal *in forma pauperis* is DENIED.

Signed November 26, 2024.

BY THE COURT

A handwritten signature in black ink, appearing to read "David Nuffer", written over a horizontal line.

David Nuffer
United States District Judge

THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ROBERT ANDREW MULLINS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendant.

Judgment

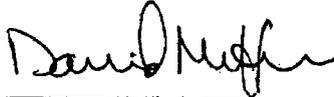
Case No. 4:22-cv-00046-DN-CMR

District Judge David Nuffer
Magistrate Judge Cecilia M. Romero

IT IS HEREBY ORDERED AND ADJUDGED that pursuant to the Memorandum Decision and Order Adopting Report and Recommendation and Granting Motions to Dismiss Dkts. 61, 72, & 73,¹ judgment is entered in favor of the defendants and plaintiff's cause of action is dismissed with prejudice.

Signed September 30, 2024.

BY THE COURT



David Nuffer
United States District Judge

¹ Docket no. 131, filed September 30, 2024.