

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

**OCT 24 2001**

**PATRICK FISHER**  
Clerk

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LEE B. JOHNSON,

Plaintiff-Appellant,

v.

MARK N. TSCHETTER,

Defendant-Appellee.

No. 01-1078  
(D.C. No. 00-Z-2434)  
(D. Colo.)

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**ORDER AND JUDGMENT\***

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Before **EBEL, KELLY** and **LUCERO**, Circuit Judges.

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Plaintiff-Appellant Lee B. Johnson challenges the district court's dismissal of his case for failing to comply with Federal Rule of Civil Procedure 8. Mr. Johnson's arguments on appeal are difficult to discern, and we can find no basis on which to question the propriety of the district court's ruling. For the reasons set forth in the district court's dismissal order dated February 5, 2001, it is

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\*After examining appellant's brief and the appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a)(2) and 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 This Order and Judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

obvious that Mr. Johnson's complaint – in its original and amended forms – failed to comply with the minimum standards acceptable under our system of notice pleading. We also find no basis for Mr. Johnson's motion for sanctions.

Accordingly, Mr. Johnson's motion to appeal in forma pauperis is DENIED, and this appeal is DISMISSED as frivolous. The filing fee must be paid in full within ten days of the date of this Order and Judgment.

ENTERED FOR THE COURT

David M. Ebel  
Circuit Judge