

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

**NOV 14 2001**

**PATRICK FISHER**  
Clerk

JAMES JOSEPH OWENS-EL,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

No. 01-1254

(D.C. No. 01-Z-405)

(D. Colorado)

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**ORDER AND JUDGMENT\***

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Before **SEYMOUR** and **McKAY**, Circuit Judges, and **BRORBY**, Senior Circuit Judge.

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After examining the briefs 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); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

Mr. Owens-El appeals the district court's dismissal of his Bivens claim and his tort claims brought pursuant to the Federal Tort Claims Act. In essence, Mr. Owens-El seeks monetary damages resulting from his allegedly illegal

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

incarceration. Additionally, Mr. Owens-El challenges the district court's denial of standing for Mr. Owens-El to prosecute claims under various criminal statutes.

We have reviewed Mr. Owens-El's claims and the district court's Order and Judgment of Dismissal filed April 9, 2001. We are convinced that the district court's decision is correct. For the same reasons as those stated in the district court's Order and Judgment of Dismissal, we affirm.

The motion to proceed on appeal in forma pauperis is granted.

**AFFIRMED.**

Entered for the Court

Monroe G. McKay  
Circuit Judge