

UNITED STATES COURT OF APPEALS

Filed 11/2/95

TENTH CIRCUIT

PETER PAUL MARTINEZ,

Petitioner -
Appellant,

v.

ARISTEDES W. ZAVARAS and
GALE NORTON, Attorney General
of the State of Colorado,

Respondents -
Appellees.

No. 95-1167

(D.C. No. 94-M-1775)

(District of Colorado)

ORDER AND JUDGMENT*

Before SEYMOUR, Chief Judge, McKAY and HENRY, Circuit Judges.

The parties have agreed that this case may be submitted for decision on the briefs. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1.2. After examining the briefs and 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); 10th Cir. R. 34.1.9. 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*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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 the court's General Order filed November 29, 1993. 151 F.R.D. 470.

We AFFIRM for the reasons provided by the district court.

ENTERED FOR THE COURT

Monroe G. McKay
Circuit Judge