

UNITED STATES COURT OF APPEALS

SEP 2 1999

TENTH CIRCUIT

PATRICK FISHER
Clerk

DERRAL SCHRODER, A Free People
for the Freely Associated Compact
States of our Constitutional Union.
(Named as: De Jure Plaintiff),

Plaintiff - Appellant,

v.

PHILLIP BIENVENU, A Registered
Voting member of the Corporate
Federal Government, claiming a Title
of Nobility, Esquire #10421 A
Commissioned Officer, of Admiralty
Courts, a Former District Attorney of
the New Deal Corporate State of
Colorado. A Socialist Communist
Democracy.; STATE OF
COLORADO, A New Deal Corporate
subdivision of the U.S.; John and Jane
Does 1 Through Unlimited (Named as:
De Facto Defendants),

Defendants - Appellees.

No. 99-1170
(D. Ct. No. 98-N-61)
(D. Colo.)

ORDER AND JUDGMENT *

Before **TACHA, McKAY**, and **MURPHY**, Circuit Judges.

*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

After examining the briefs and the appellate record, this three-judge panel has determined unanimously that oral argument would not be of material assistance 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.

Plaintiff Schroder filed this appeal arguing that the district court erred in accepting the magistrate judge's recommendation to dismiss his complaint. After reviewing the record, we find that the magistrate judge extended every benefit to Schroder with its lenient interpretation of his pro se complaint. The magistrate judge thoroughly considered plaintiff's arguments and found that even accepting his allegations as true, Schroder had failed to state a claim on which relief could be granted. We AFFIRM the district court's order to dismiss plaintiff's case and award defendants their attorney fees and costs for substantially the same reasons stated in the magistrate judge's recommendation. We GRANT Schroder's motion for leave to proceed in forma pauperis.

ENTERED FOR THE COURT,

Deanell Reece Tacha
Circuit Judge