

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

November 24, 2020

Christopher M. Wolpert
Clerk of Court

JOHN H. SCHOPPE,

Plaintiff - Appellant,

v.

STATE OF UTAH; WORKFORCE
SERVICES; MEDICAID; USA; SOCIAL
SECURITY ADMINISTRATION;
MEDICARE; INTERNAL REVENUE
SERVICE; DEPARTMENT OF JUSTICE,

Defendants - Appellees.

No. 20-4111
(D.C. No. 1:20-CV-00082-DB)
(D. Utah)

ORDER AND JUDGMENT*

Before **BRISCOE**, **BALDOCK**, and **CARSON**, Circuit Judges.**

Plaintiff-Appellant John H. Schoppe filed a complaint in the United States District Court for the District of Utah alleging his constitutional rights have been violated by “unlawful violation of the separation of powers through administrative agencies powers” and “bureaucratic abuses.” For these alleged violations, he sought

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

** 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.

\$200,000,000 in damages and injunctive relief. The district court referred the action to Magistrate Judge Bennett pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Bennett issued a report and recommendation concluding that Plaintiff's complaint is legally frivolous and should be dismissed with prejudice for failure to state a claim. After overruling Plaintiff's objections, the district court adopted the report and recommendation in its entirety and dismissed this action with prejudice.

Plaintiff now appeals the final judgment, asserting the district court erred in dismissing his complaint. But Plaintiff fails to present any legally or factually adequate basis for reversal. In a well-reasoned report and recommendation, Magistrate Judge Bennett explained why—even under a liberal interpretation—Plaintiff's allegations fail to support any viable claim for relief. The district court reviewed Plaintiff's objections de novo, as required by 28 U.S.C. § 636(b)(1)(C), and wholly adopted the report and recommendation. For the purpose of resolving this appeal, we have thoroughly reviewed the record and Plaintiff's appellate brief. We discern no reversible error. Where the district court correctly analyzes an issue, we see no useful purpose in writing at length. Therefore, exercising jurisdiction under 28 U.S.C. § 1291, we AFFIRM for substantially the same reasons set forth in Magistrate Judge Bennett's report and recommendation and the district court's order adopting the same.

Entered for the Court

Bobby R. Baldock
Circuit Judge