FILED
United States Court of Appeals
Tenth Circuit

January 2, 2026

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

BRITTANY CROWNHART,

Plaintiff - Appellant,

v.

PEOPLE OF THE STATE OF COLORADO, et al.,

Defendants - Appellees.

No. 25-1474
(D.C. No. 1:24-CV-00391-LTB)
(D. Colo.)

ORDER

Before **HOLMES**, Chief Judge, **HARTZ**, and **BACHARACH**, Circuit Judges.

Earl Crownhart—who proceeds here without the benefit of counsel—filed a document in the United States District Court for the District of Colorado that he captioned as a "Notice of Appeal from Final Judgment or From an Appealable Order". *See Brittany Crownhart v. People of the State of Colo., et al.*, No. 1:24-cv-00391-LTB [DC Dkt. No. 67]. Upon receipt of that document from the district court, this court opened this appeal. Upon consideration of the district court docket and the applicable law, however, the court now dismisses this appeal for the reasons set forth below.

In February 2024, Mr. Crownhart's wife, Brittany, filed Case No. 1:24-cv-00391-LTB in the United States District Court for the District of Colorado. She was the only named plaintiff.

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In May 2024, the district court dismissed the action without prejudice for lack of subject matter jurisdiction and imposed filing restrictions on Ms. Crownhart that prohibit her from "filing any new action in the [District of Colorado] without the representation of a licensed attorney admitted to practice in the District of Colorado unless she obtains permission to proceed *pro se* . . . ." [DC Dkt. No. 56].

On appeal, this court affirmed the district court's dismissal order and its imposition of filing restrictions on Ms. Crownhart. *See Brittany Crownhart v. People of the State of Colo.*, No. 24-1208 (10th Cir. July 9, 2024) [DC Dkt. No. 64]. This court denied Ms. Crownhart's petition for rehearing in that appeal and issued its mandate to the district court. [DC Dkt. Nos. 65, 66].

The district court has entered no orders following its entry on the docket of this court's order and judgment, order denying rehearing, and mandate in Appeal No. 24-1208. [*See* DC Dkt. Nos. 64, 65, 66].

Given this procedural background, the notice of appeal Mr. Crownhart filed in Case No. 1:24-cv-00391-LTB is defective in several ways, any one of which deprives this court of jurisdiction to hear this appeal. Specifically:

- The notice of appeal is captioned for a district court case to which Mr. Crownhart's wife, Brittany, is a party, but he is not. *See* Fed. R. App. P. 3(c)(1)(A) (requiring a notice of appeal to "specify the party . . . taking the appeal by naming each one in the caption or body of the notice" (emphasis added)); *see also Becker v. Montgomery*, 532 U.S. 757, 763 (2001) (noting the applicability of Rule 11(a)'s signature requirements to a

notice of appeal); *Smith v. Barry*, 502 U.S. 244, 248 (1992) ("Rule 3's dictates are jurisdictional in nature, and their satisfaction is a prerequisite to appellate review.").

- The notice of appeal was filed in a closed district court case in which no order has entered after this court issued its mandate in Ms. Crownhart's own appeal of the district court's judgment. *Cf. United States v. Mendes*, 912 F.2d 434, 438 (10th Cir. 1990) (holding that litigants are not entitled to second appeal of same order(s)).
- The notice of appeal seeks to appeal an interlocutory order entered—not in the captioned district court case—but in a Colorado state court proceeding. *See* 28 U.S.C. § 1291 (providing only for appeals "from all final decisions of the district courts of the United States . . . ." (emphasis added)).
- The notice of appeal is untimely even if an appeal of the state court order was otherwise proper. *See* Fed. R. App. P. 4(a)(1)(A) (notice of appeal in a civil case in which the United States is not a defendant "must be filed with the district clerk within 30 days after entry of the judgment or order appealed from").

For these reasons, the court is without jurisdiction to consider this appeal.

APPEAL DISMISSED.

Entered for the Court

Per Curiam