

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 26, 2026

Christopher M. Wolpert
Clerk of Court

In re: EDWARD HOID,

Petitioner.

No. 26-1202
(D.C. No. 1:23-CV-00462-CYC)
(D. Colo.)

ORDER

Before **BACHARACH, PHILLIPS, and EID**, Circuit Judges.

Pro se petitioner Edward Hoid seeks a writ of mandamus ordering the recusal of Magistrate Judge Cyrus Y. Chung and miscellaneous other relief. We deny the petition.

Mandamus is a proper vehicle to seek a judge’s recusal. *See Nichols v. Alley*, 71 F.3d 347, 350 (10th Cir. 1995) (per curiam). “Mandamus is available only upon a showing of a clear and indisputable right to relief.” *Id.* “A petitioner seeking mandamus relief must demonstrate a clear abuse of discretion, or conduct by the district court amounting to a usurpation of judicial authority.” *Id.*

Mr. Hoid asserts the magistrate judge should be recused because he improperly ordered several of Mr. Hoid’s filings to be stricken from the record. It is well-established, however, that “judicial rulings alone almost never constitute a valid basis for a bias or partiality motion.” *Liteky v. United States*, 510 U.S. 540, 555 (1994); *see also United States v. Cooley*, 1 F.3d 985, 993-94 (10th Cir. 1993) (recognizing that adverse rulings ordinarily do not support recusal). A review of the magistrate judge’s order shows that he ordered the filings stricken because Mr. Hoid failed to follow the district

court's local rule requiring him to confer with opposing parties before filing motions, despite having been previously warned that the court would strike non-compliant filings. Such orders are well within a district court's authority. *See Motley v. Marathon Oil Co.*, 71 F.3d 1547, 1552 (10th Cir. 1995) ("We are particularly loath to find that a district court abused its discretion with a decision regarding the enforcement of its own local rules."); *see also United States v. Nicholson*, 983 F.2d 983, 988 (10th Cir. 1993) ("District courts generally are afforded great discretion regarding trial procedure applications (including control of the docket and parties)" (internal quotation marks omitted)). Mr. Hoid therefore has failed to show a clear and indisputable right to the magistrate judge's recusal.

The petition also requests that the court (1) reverse and vacate the magistrate judge's order striking his filings, (2) order the district court to grant him leave to file a fourth amended complaint, and (3) refer this matter to the Federal Bureau of Investigation for a formal investigation. With regard to these requests, however, Mr. Hoid also has failed to demonstrate a clear and indisputable right to mandamus relief.

We deny the petition for a writ of mandamus. We grant Mr. Hoid's motion to proceed without prepayment of fees and costs (Dkt. No. 2).

Entered for the Court

Per Curiam