

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

**MAY 30 1997**

**PATRICK FISHER**  
Clerk

TAD THORNHILL,

Plaintiff-Appellant,

v.

OKLAHOMA DEPARTMENT OF  
PUBLIC SAFETY,

Defendant-Appellee.

No. 96-6263  
(D.C. No. CIV-95-0546-R)  
(W.D. Okla.)

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**ORDER AND JUDGMENT\***

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Before **BRORBY**, **EBEL**, and **KELLY**, Circuit Judges.

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Plaintiff-Appellant Tad Thornhill, an Oklahoma resident, holds a valid Oklahoma driver's license. In order for Thornhill to keep that license, defendant-appellee Oklahoma Department of Public Safety ("the Department") requires Thornhill to report periodically concerning a neuropsychiatric condition suffered by Thornhill. Thornhill objects to this reporting requirement.

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\*The case is unanimously ordered submitted without oral argument pursuant to Fed. R. App. P. 34(a) and 10th Cir. R. 34.1.9. This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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 10th Cir. R. 36.3.

To voice his objections, Thornhill sued the Department in federal district court. His complaint alleged that:

I don't believe I have mental problems that are concerned topics. I take a very low dosage of thorazine. It has no bad effects on my alert system. My mental problems have always been under good control.

The district court dismissed Thornhill's complaint pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), noting that Thornhill had failed to state a claim under which relief could be granted, and had failed to demonstrate any basis for federal subject matter jurisdiction. Thornhill v. Department of Pub. Safety, No. CIV-95-0546-R (W.D. Okla. July 15, 1996) (Order). Thornhill now appeals the dismissal of his complaint.

After reviewing the record, we AFFIRM the dismissal of Thornhill's complaint for the reasons set forth in the district court's order.

The mandate shall issue forthwith.

ENTERED FOR THE COURT

David M. Ebel  
Circuit Judge