

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 17, 2025

Christopher M. Wolpert
Clerk of Court

LOUIS D. CRAFT, JR.,

Plaintiff - Appellant,

v.

OFFICER GALUTZA,

Defendant - Appellee.

No. 24-7078
(D.C. No. 6:20-CV-00483-RAW-JAR)
(E.D. Okla.)

ORDER AND JUDGMENT*

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

Louis D. Craft, Jr., is an Oklahoma prisoner who brought a pro se civil rights lawsuit against a then-employee of the Oklahoma Department of Corrections, “Officer Galutza,” whom he accused of intentionally contaminating his food with bacteria that cause canker sores. He filed this lawsuit in 2020. By mid-2024, he had yet to serve process on the defendant, despite numerous extensions of time. The district court denied a motion for appointment of counsel (to assist in service of

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 This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

process), denied a motion for yet another extension of time, and dismissed the action without prejudice. The district court further denied a Federal Rule of Civil Procedure 59(e) motion. Craft has timely appealed those orders. We have jurisdiction under 28 U.S.C. § 1291, and we review all three orders for abuse of discretion, *see Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995) (denial of a motion to appoint counsel); *Espinoza v. United States*, 52 F.3d 838, 840 (10th Cir. 1995) (dismissal based on failure to timely serve process); *Elm Ridge Expl. Co. v. Engle*, 721 F.3d 1199, 1216 (10th Cir. 2013) (denial of a Rule 59(e) motion). Having considered Craft's brief, the record on appeal, and the applicable law, the panel has determined that each order was well within the district court's discretion for the reasons it stated, and we therefore affirm.

Entered for the Court

Paul J. Kelly, Jr.
Circuit Judge