

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 18, 2017

Elisabeth A. Shumaker
Clerk of Court

WILLIAM P. ZANDER,

Plaintiff - Appellant,

v.

KNIGHT TRANSPORTATION, INC.;
GLEN PALMER, JASON JONES,
SHAWN BELL, KEVIN PREWITT,
MICHAEL HITCHCOCK, DAVID
SHOBE, individually and as employees of
Knight Transportation, Inc.,

Defendants - Appellees.

No. 16-3018
(D.C. No. 5:13-CV-04016-KHV-GLR)
(D. Kan.)

ORDER AND JUDGMENT*

Before **MATHESON, McKAY, and O'BRIEN**, Circuit Judges.

William P. Zander has filed this frivolous pro se appeal challenging the district court's dismissal of his employment action and imposition of \$1,000.00 in attorney's fees as a sanction for his noncompliance with discovery orders. The original discovery deadline was November 22, 2013, but via misconduct and dilatory tactics,

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 This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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

Mr. Zander delayed the date of his deposition until May 27, 2015. On that date, he still failed to appear, despite multiple judicial directives to submit to a deposition, a previous sanction of \$500.00, and repeated warnings that noncompliance with discovery could result in dismissal. Consequently, a magistrate judge issued a report evaluating the *Ehrenhaus* factors¹ and recommending the case be dismissed with prejudice and attorney's fees of \$1,000.00 be imposed for Mr. Zander's noncompliance. *See* Fed. R. Civ. P. 37(b)(2)(A)(v), (d)(3). On de novo review, the district court entered an order adopting the recommendation in its entirety.

Mr. Zander has now filed an incomprehensible brief on appeal, which is attached to this order and judgment. He indicates "the courts rigged everything," and his "printer broke so [he] know[s] the corruption of the court." *Aplt. Br.* at 1. He also says someone perpetrated a fraud on the court, and he concludes with vague political and race-based remarks. We afford these pro se comments a liberal construction, but Mr. Zander has forfeited appellate review by failing to articulate any coherent argument supported by adequate legal authority. *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840-41 (10th Cir. 2005); *see also Bronson v. Swensen*, 500 F.3d 1099, 1104 (10th Cir. 2007) ("[W]e routinely have declined to consider arguments that are not raised, or are inadequately presented, in an

¹ *See Ehrenhaus v. Reynolds*, 965 F.2d 916, 921 (10th Cir. 1992).

appellant's opening brief.”). Therefore, the district court's judgment is affirmed.

Entered for the Court

Terrence L. O'Brien
Circuit Judge

READ OUT
THE COURT
AND 60 B3

PLAINTE CERTIFIED

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

MAIL ASKED
TO USE

ZANARR

HIS
FEMALE

Plaintiff/Petitioner - Appellant,

Case No. 16-3018

v.

JENKINS TRANSPORTATION

Appellant's Opening Brief

Defendant/Respondent - Appellee.

2016 MAR 30 AM 3:13
U.S. COURT OF APPEALS
TENTH CIRCUIT

NOTICE AND INSTRUCTIONS

THE COURTS
RIGGED EVERYTHING

If you proceed on appeal pro se, the court will accept a properly completed Form A-12 in lieu of a formal brief. This form is intended to guide you in presenting your appellate issues and arguments to the court. If you need more space, additional pages may be attached. A short statement of each issue presented for review should precede your argument. Citations to legal authority may also be included. This brief should fully set forth all of the arguments that you wish the court to consider in connection with this case.

New issues raised for the first time on appeal generally will not be considered. An appeal is not a retrial but rather a review of the proceedings in the district court. A copy of the completed form must be served on all opposing counsel and on all unrepresented parties and a proper certificate of service furnished to this court. A form certificate is attached.

PLAINTIFF SENT
THE COURT
CERTIFIED MAIL
HIS WZANARR@SMILE.COM
BROKE SO I KNOW THE
CORRUPTION OF THE COURT
SO THIS IS ALL I CAN
TALK I WANT ANSWER BACK

APPELLANT/PETITIONER'S OPENING BRIEF

1. Statement of the Case. (This should be a brief summary of the proceedings in the district court.)

FRAUD ON THE COURTS AND RULE 60'B

100% DIRECT ~~PRO~~ PROOF
ON SA

DEMANDS AM5 LAW JUDGE & INVESTIGATION

2. Statement of Facts Relevant to the Issues Presented for Review.

FEDERAL RULE 60B AND FRAUD ON THE COURT
EX PARTE COMMUNICATION WITH THE

JUDGE. HE KNEW ABOUT THE

CRIME PLAINTIFF HAS ALL THE

DOCUMENTS TO PROVE IS

RUSNFELD. A RIGGED SANCTION
TO COVER UP CRIMES

APPELLANT/PETITIONER'S OPENING BRIEF

1. Statement of the Case. (This should be a brief summary of the proceedings in the district court.)

FRAUD ON THE COURTS AND RULE 60'E
RIGGED OHSD AND DEFENDENTS
ARE NARBUTUAL LIARS

2. Statement of Facts Relevant to the Issues Presented for Review.

~~EX~~ PARTIE COMMUNICATION WITH THE
JUDGE. HE HAD ABOUT THE
CRIME PLAINTIFF HAS ALL THE
DOCUMENTS TO PROVE IS

100% DIRECT
FILED COMPLAINT AGAINST
THREE JUDGES RUSHFELT
ROGERS UPRATIC JUDICIAL

3. Statement of Issues.

~~Q~~ ~~IP~~ NEGLT CARE
PLAN DESTROYED
BAD COBRA LETTER
FRAUD RILEY OSHA INVESTIGATION

a. First Issue:

Argument and Authorities:

DIRECT EVIDENCE
THAT WERE HARMED FOR OBAMA'S
BLACK SKIN

b. Second Issue:

FEDERAL PLANS DESTROYED

Argument and Authorities:

FEDERAL FRAUD HARMED FOR OBAMA'S
BLACK SKIN

DIRECT EVIDENCE

TREATED PLAINTIFF WITH
DRESS FOR REPORTING
CRIME AND DISCRIMINATION
AND CORRUPTION

3. Statement of Issues.

a. First Issue:

FRAUD RICHE OSHA INVESTIGATION

Argument and Authorities:

DIRECT EVIDENCE
UNITED STATES VS PARTS

b. Second Issue:

PERISA PLANS DESTROYED

Argument and Authorities:

PERISA FRAUD
DIRECT EVIDENCE

4. Do you think the district court applied the wrong law? If so, what law do you want applied?

YES FRAUD

5. Did the district court incorrectly decide the facts? If so, what facts?

EX PARTIE COMMUNICATION

6. Did the district court fail to consider important grounds for relief? If so, what grounds?

YES FRAUD DIRECT EVIDENCE

7. Do you feel that there are any other reasons why the district court's judgment was wrong? If so, what?

FRAUD DIRECT EVIDENCE

8. What action do you want this court to take in your case?

OVERTURN THIS AND LET AM5 JUDGE HANDLE OTHER

9. Do you think the court should hear oral argument in this case? If so, why?

YES FRAUD AND SPOILAGE AGAINST PRESIDENT OBAMA

03/27/15
Date

William O. Jones
Signature

CERTIFICATE OF SERVICE

I hereby certify that on 03/27/16 (date) I served a copy of the Appellant/Petitioner's Opening Brief to [Signature] (Opposing Party or Attorney), at [Address], the last known address/email address, by MAIL (state method of service).

03/27/16 Date

[Signature] Signature

CERTIFICATE OF COMPLIANCE

I certify that the total number of pages I am submitting as my Appellant/Petitioner's Opening Brief is 30 pages or less or alternatively, if the total number of pages exceeds 30, I certify that I have counted the number of words and the total is [blank], which is less than 14,000. I understand that if my Appellant/Petitioner's Opening Brief exceeds 14,000 words, my brief may be stricken and the appeal dismissed.

03/27/16 Date

[Signature] Signature

CERTIFICATE OF SERVICE

I hereby certify that on 03/29/16 I served a copy of

the Appellant/Petitioner's Opening Brief to 10 to CISCOM

POSTNERLI, at DEVELOPMENT

(Opposing Party or Attorney), the last known address/email

address, by MAIL
(state method of service)

03/27/16
Date

William P. Jones
Signature

PLAINT WAS RECALD AND GO B3

CERTIFICATE OF COMPLIANCE

I certify that the total number of pages I am submitting as my Appellant/Petitioner's Opening Brief is 30 pages or less or alternatively, if the total number of pages exceeds 30, I certify that I have counted the number of words and the total is _____, which is less than 14,000. I understand that if my Appellant/Petitioner's Opening Brief exceeds 14,000 words, my brief may be stricken and the appeal dismissed.

03/27/16
Date

William P. Jones
Signature



Call 1-800-PICK-UPS® (1-800-742-5877) or visit UPS.com

1. Fill in Address completely. UPS will NOT deliver to PO BOX addresses.
2. Retain shipper's copy (middle copy) of label, your records and package tracking number. Leave UPS copy (top) attached to package.
3. Drop in the nearest TripPak EXPRESS® drop box, conveniently located at most major truck stops nationwide.

For Express shipments only within the 48 contiguous United States. For TripPak Drop Box locations and package tracking: pegasustranstech.com

Llámenos 1-800-PICK-UPS® (1-800-742-5877) o visite UPS.com

1. Llene la dirección completamente. UPS NO realiza entregas a direcciones de PO BOX.
2. Retener la copia del remitente (La copia de en medio) de la etiqueta número de identificación del paquete para su archivo. Deje la copia a (La copia original) adjunta al paquete.
3. Deposite en el TripPak EXPRESS® buzón más cercano, localizados convenientemente en la mayoría de estaciones de camiones a nivel nacional.

Envíos Express únicamente para los 48 estados contiguos de los Estados Unidos. Para localizar los buzones y monitoreo de paquetes: pegasustranstech.com

PEGASUS TRANSTECH

Do NOT send cash, cash equivalent or jewelry. Limitation of Liability. UPS® TARIFF/TERMS AND CONDITIONS OF SERVICE FOR PACKAGE SHIPMENTS IN THE UNITED STATES.

No enviar efectivo, equivalentes de efectivo o joyería. Limitaciones de responsabilidad. TARIFF/TERMINOS Y CONDICIONES FOR SERVICIO DE ENVIO DE PAQUETES ESTADOS UNIDOS.

UPS, 1-800-PICK-UPS and UPS.COM are trademarks that are used with permission by its owner, United Parcel Service of America, Inc. All rights reserved. UPS, 1-800-PICK-UPS y UPS.COM son marcas registradas utilizados con el permiso de su propietario, United Parcel Service of America, Inc. Todos los derechos reservados.

DENVER CO 80257
P: BLACK s:5MG I:5E

ELDR-RDR
U5621607533 1500

HP4LRLL CDEN306 Mar 30 08:16:31 2016
US 8881 HPP 16.3.5 LP2844



NO PO BOX
¡NO DIRECCIONES DE PO BOX!

DATE OF SHIPMENT

UPS SHIPPER NUMBER
095EF4

095EF4



REFERENCE NUMBER
FROM
WILLIAM SANDER
PO BOX 12725
TOPICKA ST KS 66601
TELEPHONE
405-694-1972

TO
MARKED STATES 16 CIRCUIT
1523 STOUT STREET
DENVER CO 80257
TELEPHONE 304 RC

PREPAID LETTER

UPS Next Day Air Saver®
Shipping Document

UPS Next Day Air Saver®
TRACKING NUMBER



U562 160 753 0181

EXPIRATION DATE
01/21/17

02019525412 1/05 MW United Parcel Service, Louisville, KY