

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

June 24, 2014

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker  
Clerk of Court

YOUNG YIL JO,

Plaintiff - Appellant,

and

IBRAHAM OSMAN; MANUEL  
AGUIRRE; JULIO PENA; JAIME  
MORALES; MARCO GUERRERO;  
JESUS LOPEZ MATA; AGAPITO  
JARAMILLO; GUSTAVO RUBIO;  
WILLIAM SANTOS; MARIO GARCIA;  
IVAN PEREZ; ARLON SANTANDER;  
MARTIN ROSAS; YURI TZUL; JOSE  
ALCANTARA; LUIS QUINTANILLA;  
ERICK BOCH; BERNARDO  
FERNANDEZ; GIOVANNI ARROYO;  
SANTOS DIAZ; XING LIN WANG;  
OMAR TURCIOS; ROGER TALONCON;  
CRESAENCIO BARRAZA; THO LE;  
BERTRAM C. JOHNSON,

Plaintiffs,

v.

SIX UNKNOWN NAMES AGENTS, or  
Mr. President of the United States Barack  
Obama,

Defendant - Appellee.

No. 14-1238  
(D.C. No. 1:14-CV-01312-BNB)

ORDER

Before **KELLY, LUCERO**, and **BACHARACH**, Circuit Judges.

Mr. Jo apparently seeks to appeal from the magistrate judge's order of May 20, 2014 that directed Mr. Jo (and other named plaintiffs) to correct various deficiencies by, *inter alia*, filing their complaint on the proper court form.

Except for proceedings conducted by a magistrate judge upon designation by a district court judge and consent of the parties pursuant to 28 U.S.C. § 636(c), a court of appeals lacks jurisdiction to hear an appeal taken directly from a magistrate judge's ruling. *See Colorado Building & Construction Trades Council v. B.B. Andersen Construction Co.*, 879 F. 2d 809 (10<sup>th</sup> Cir. 1989); *Phillips v. Beierwaltes*, 466 F.3d 1217 (10th Cir. 2006).

In the underlying district court case, the parties have not consented to final disposition by a magistrate judge. Mr. Jo's case remains pending with the district court and no appealable decision has, as yet, been entered. Consequently, this court lacks jurisdiction to consider the present appeal.

**APPEAL DISMISSED.**

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk



by: Christine Van Coney  
Counsel to the Clerk