

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Hoid v. Boulder County Sheriff's Office

Hoid · No. 23-cv-00616-PAB-TPO · Decided May 18, 2026

SUMMARY

The United States District Court for the District of Colorado denies Edward Hoid’s fifth motion seeking recusal and disqualification of Chief Judge Philip A. Brimmer under 28 U.S.C. § 455. The court finds that Hoid’s unsupported and conclusory allegations of judicial bias do not provide a reasonable basis for questioning the judge’s impartiality.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Philip A. Brimmer
JURISDICTION	United States District Court for the District of Colorado
DECIDED	May 18, 2026
DOCKET	23-cv-00616-PAB-TPO
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for the recusal and disqualification of the district judge under 28 U.S.C. § 455. The court construed the motion under § 455 because plaintiff did not identify a statutory basis and did not file the affidavit required by § 144.
STANDARD OF REVIEW	Recusal under 28 U.S.C. § 455 is evaluated under an objective standard: whether a well-informed, thoughtful, and objective observer would harbor doubts about the judge's impartiality. The court first asks whether a reasonable factual basis exists to question impartiality.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

- judicial disqualification and recusal
- federal civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the plaintiff's emergency motion required recusal under 28 U.S.C. § 455.
2. Whether the motion could be treated as a motion under 28 U.S.C. § 144 despite the absence of the required supporting affidavit.

HOLDINGS

1. Recusal is not warranted where the motion rests on unsupported, conclusory, irrational, or highly tenuous accusations that would not cause a well-informed, thoughtful, and objective observer to question the judge's impartiality.
2. A recusal motion cannot be treated as arising under 28 U.S.C. § 144 when it is not accompanied by the statute's required affidavit stating the facts and reasons supporting the claimed bias or prejudice.

KEY QUOTATIONS

“Section 455 establishes ‘an objective standard: disqualification is appropriate only where the reasonable person, were he to know all the circumstances, would harbor doubts about the judge’s impartiality.’” (Order text)

“A well-informed, thoughtful, and objective observer who is an average member of the public would not find that these unsubstantiated and conclusory allegations establish that I am biased against Mr. Hoid.” (Order text)

“A judge should not recuse based on unsupported, irrational, or highly tenuous speculation and accusations.” (Order text)

FACTUAL BACKGROUND

Plaintiff Edward Hoid alleged that Judge Brimmer engaged in judicial forgery, colluded with defense counsel, incited violence, and obstructed access to medical information. He also incorporated an emergency mandamus petition and asserted that the allegations demonstrated judicial bias against him. Plaintiff provided no explanation, evidence, or affidavit supporting the allegations.

PROCEDURAL HISTORY

Edward Hoid filed this action against the Boulder County Sheriff's Office and filed multiple prior motions seeking recusal of Judge Brimmer. The present emergency motion was his fifth recusal motion and alleged judicial misconduct, collusion, and bias, but supplied no supporting explanation or evidence. The court denied the motion.

DISPOSITION

other

CASES CITED

- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)
- United States v. Mobley, 971 F.3d 1187, 1205 (10th Cir. 2020)
- United States v. Wells, 873 F.3d 1241, 1251 (10th Cir. 2017)
- Clark v. Time Inc., 727 F. App'x 975, 978 (10th Cir. 2018)
- Lawton v. Ctr. Stock Co., LLC, No. 06-cv-01125-REB-MEH, 2007 WL 1491269, at *1 (D. Colo. May 21, 2007)
- United States v. Cooley, 1 F.3d 985, 993 (10th Cir. 1993)
- Drevalova v. Johnson, 2023 WL 5564098, at *5 (D.N.M. Aug. 29, 2023)
- In re Am. Ready Mix, Inc., 14 F.3d 1497, 1501 (10th Cir. 1994)
- Hinman v. Rogers, 831 F.2d 937, 939-40 (10th Cir. 1987)

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