IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

FREDERICK MARTIN,

Petitioner,

v. **CASE NO. 87-3273-SAC**

RAYMOND ROBERTS,

Respondent.

O R D E R

This matter is before the court on petitioner's motions for order (Doc. 83) and for hearing (Doc. 84).

This is a habeas corpus action brought pursuant to 28 U.S.C. § 2254. Relief was denied by the Honorable Dale E. Saffels on January 8, 1991. Petitioner unsuccessfully pursued an appeal, and the United States Supreme Court denied certiorari in October 1992. Since October 2003, petitioner has filed numerous motions for relief, and in June 2005, the United States Court of Appeals for the Tenth Circuit denied petitioner's motion for authorization and, noting his repeated filings in that court, directed petitioner to show cause why sanctions should not be imposed (Doc. 86). On August 1, 2005, the Court of Appeals imposed a sanction of $250.00 and ordered that no further filings be accepted from the petitioner until that sanction was paid.

The motions now pending before the court request (1) the issuance of findings of fact and conclusions of law following the court’s summary denial of a number of motions filed by the petitioner and (2) a hearing. The court denies these motions. The Court of Appeals has made it clear that petitioner may not proceed until he satisfies the penalty imposed by that court, and this court finds that interests in finality and the conservation of judicial resources may weigh in favor of a summary rejection where a party makes repeated efforts to rekindle a final judgment. See In re McDonald, 489 U.S. 180, 184 (1989)("[e]very paper filed with the Clerk of this Court, no matter how repetitious or frivolous, requires some portion of the institution's limited resources. A part of the Court's responsibility is to see that these resources are allocated in a way that promotes the interests of justice.")

Finally, the court now will require that petitioner obtain leave of the court before any other pleadings may be filed in this action.

IT IS THEREFORE ORDERED petitioner’s motions (Docs. 83 and 84) are denied.

IT IS FURTHER ORDERED petitioner may file no additional pleadings in this matter unless he first obtains leave of the court.

A copy of this order shall be transmitted to the petitioner.

IT IS SO ORDERED.

DATED: This 22nd day of November, 2005, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge