

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

EDWARD LEE CLEMMONS,

Petitioner,

v.

CASE NO. 90-3035-SAC

STEVEN J. DAVIES,

Respondent.

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's motion, filed under Rule 60(a) of the Federal Rules of Civil Procedure, to correct the 1992 Memorandum and Order entered in this case. Petitioner points to a statement in that order that he was arrested at his home and a second statement that he was detained by the police (Doc. #73, p. 2). He attaches a police report dated December 1, 1983, showing that officers conducted surveillance on a residence, watched him leave the house and enter a vehicle, and then removed him from the vehicle (*id.*, Attach., pp. 1-3).

Under Rule 60(a), a federal court "may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record." Fed.R.Civ.P. 60(a). Rule 60(a) allows a court to "correct a clerical mistake or a mistake arising from oversight or omission".

The Court has considered the petitioner's claim but finds no error in the record. It appears petitioner was arrested as he left the residence under surveillance and entered a vehicle. The statement that he was arrested at his home is compatible with the police report.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner's motion to correct (Doc. #73) is denied.

IT IS SO ORDERED.

DATED: This 7th day of July, 2017, at Topeka, Kansas.

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