

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

RODNEY BOYD,)	
)	
Petitioner,)	
)	
v.)	Case No. 03-3476-WEB
)	
RAY ROBERTS)	
El Dorado Correction Facility)	
&)	
PHIL KLINE)	
Kansas Attorney General,)	
)	
)	
Respondents.)	

MEMORANDUM AND ORDER

Now before the Court is Petitioner's motion to stay his placement into the Kansas Sexual Offense Treatment Program (SOTP) pending an appeal to the Tenth Circuit of this Court's denial of his motion pursuant to 28 U.S.C. § 2254. (Doc. 32). On October 21, 2005, the Tenth Circuit affirmed this Court's denial of Petitioner's motion for habeas relief; therefore, Petitioner's motion for a stay is moot. (Doc. 33).

IT IS THEREFORE ORDERED that the Petitioner's motion for a stay (Doc. 32) be DENIED;

SO ORDERED this 24th day of October, 2005.

s/ Wesley E. Brown
Wesley E. Brown, Senior U.S. District Judge