

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

**ROBERT L. LEWIS and MARY C. LEWIS, )**

**Plaintiffs, )**

**v. )**

**No. 04-2366-CM**

**STATE OF KANSAS and KANSAS STATE )  
BANK COMMISSIONER OFFICE, )**

**Defendants. )**

**MEMORANDUM AND ORDER**

This case is before the court on plaintiff Robert L. Lewis's ("Lewis") Motion to Demand Constitutional Rights and to Be Allowed Due Process of Rights in Accordance to the Fourteenth Amendment (Doc. 58). Plaintiffs filed this action on August 5, 2004, requesting the court to review previous judgments made by Kansas courts in favor of defendants. On May 24, 2005, the court dismissed plaintiffs' claims for lack of jurisdiction and entered judgment in favor of defendants. Since judgment was entered, plaintiff Lewis has filed over ten motions or pleadings asking the court to reconsider its May 2005 order dismissing this case and/or seeking a decision on the merits. As the court explained in its May 2005 order, the court does not have jurisdiction to hear plaintiffs' claims. After considering the record, the court finds plaintiff Lewis's present motion is repetitious of motions previously considered and denied. Plaintiff Lewis's motion is, therefore, denied.

In its last order denying plaintiff Lewis's repeated requests that the court reconsider its May 2005 order, the court warned him that any further repetitious or frivolous filings, including those seeking reconsideration of the court's May 2005 decision, may result in the imposition of sanctions

against him or the restriction of future filings. Filing restrictions are appropriate to curtail a “lengthy and abusive” litigation history. *Guttman v. Wildman*, 188 F. App’x 691, 698 (10<sup>th</sup> Cir. 2006). The court may “regulate the activities of abusive litigants by imposing carefully tailored restrictions under the appropriate circumstances.” *Id.* (quoting *Tripati v. Beaman*, 878 F.2d 351, 352 (10<sup>th</sup> Cir. 1989) (per curiam) (quotation omitted)). Plaintiff Lewis has filed over ten pleadings requesting the same or similar relief. **The court will impose sanctions in the form of filing restrictions against plaintiff Lewis if he files any additional motions or pleadings seeking (1) reconsideration of the court’s May 2005 order dismissing this case for lack of jurisdiction or (2) a decision on the merits.**

**IT IS THEREFORE ORDERED** that plaintiff Lewis’s Motion to Demand Constitutional Rights and to Be Allowed Due Process of Rights in Accordance to the Fourteenth Amendment (Doc. 58) is denied.

Dated this 20th day of August 2007, at Kansas City, Kansas.

s/ Carlos Murguia  
**CARLOS MURGUIA**  
**United States District Judge**