

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BENNIE L. PLUNKETT, JR.,

Plaintiff,

vs.

CIVIL ACTION
No. 04-3156-SAC

ROGER WERHOLTZ, et al.,

Defendants.

ORDER

This matter is before the court on a civil rights action filed by a prisoner in state custody. The court has examined the record and finds plaintiff's amended complaint (Doc. 4) presents these claims: (1) plaintiff's exercise of religion requires that he be allowed to receive two Kufi caps, prayer oils, personal hygiene products, a Halal diet, and no less than thirty minutes to shower before religious call-out; and (2) plaintiff was improperly subjected to a loss of privileges following a disciplinary action against him.

The court's review of the record also suggests that plaintiff commenced an action on the same facts in state court. In order to assure that the claims in this action are properly evaluated, the court will grant plaintiff thirty days to notify

the court whether the claims identified here properly interpret his amended complaint and to provide the court with a copy of the decision of the Kansas Court of Appeals in his related state court action.

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff is granted thirty (30) days to respond as directed. The failure to file a timely response may result in a dismissal of this matter for lack of prosecution.

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

IT IS SO ORDERED.

Dated at Topeka, Kansas, this 20th day of April, 2007.

S/ Sam A. Crow
SAM A. CROW
United States Senior District Judge