

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

**ROYCE GILREATH,**

**Plaintiff,**

**v.**

**L-M FUNDING, LLC, et al.**

**Defendants.**

**CIVIL ACTION**

**No. 05-2282-KHV**

**ORDER**

Royce Gilreath brings suit *pro se* against L-M Funding, LLC, Roxanne Mitchell, David Mitchell, Margee Hamilton, Jimmy Hamilton, Evelyn Hamilton, Sebring Capital Corp., Clifford Wiley and Joann Butaud, alleging breach of contract and denial of due process of finality of a judgment. This matter comes before the Court on the Motion To Dismiss On Behalf Of Defendants, L-M Funding, LLC, Dave Mitchell And Roxanne Mitchell (Doc. #2) filed July 22, 2005, the Motion To Dismiss On Behalf Of Defendant Clifford Wiley (Doc. #8) filed July 28, 2005, Defendant Butaud's Motion To Dismiss (Doc. #9) filed July 29, 2005 and Plaintiff's Response To Judge Vratil Order To Show Cause (Doc. #43) filed March 16, 2006.

On March 9, 2006, the Court dismissed claims against defendant Bank One, finding that the Rooker-Feldman doctrine, see Rooker v. Fid. Trust Co., 263 U.S. 413, 416 (1923); D.C. Ct. of Appeals v. Feldman, 460 U.S. 462, 482 (1983); see also Johnson v. De Grandy, 512 U.S. 997, 1005-06 (1994), prevented it from exercising jurisdiction to review the claims. Memorandum And Order And Order To Show Cause (Doc. #42). The Court ordered plaintiff to show cause as to why all other claims against

other defendants should not be dismissed for the same reason. Plaintiff's response does not address this issue. Instead, it re-hashes his previous arguments as to the misinterpretation of the opinion of the Kansas Court of Appeals. Plaintiff's response confirms that he is seeking to re-litigate his state court claims. Therefore, the Rooker-Feldman doctrine precludes this Court from exercising jurisdiction over plaintiff's claims. Accordingly, plaintiff's claims against all defendants are dismissed.

**IT IS THEREFORE ORDERED** that all claims against L-M Funding LLC, Roxanne Mitchell, David Mitchell, Margee Hamilton, Jimmy Hamilton, Evelyn Hamilton, Sebring Capital Corporation, Clifford Wiley and Joann Butaud be and hereby are **DISMISSED**.

**IT IS FURTHER ORDERED** that the Motion To Dismiss On Behalf Of Defendants, L-M Funding, LLC, Dave Mitchell And Roxanne Mitchell (Doc. #2) filed July 22, 2005 be and hereby is **OVERRULED as moot**.

**IT IS FURTHER ORDERED** that the Motion To Dismiss On Behalf Of Defendant Clifford Wiley (Doc. #8) filed July 28, 2005 be and hereby is **OVERRULED as moot**.

**IT IS FURTHER ORDERED** that Defendant Butaud's Motion To Dismiss (Doc. #9) filed July 29, 2005 be and hereby is **OVERRULED as moot**.

Dated this 21st day of March, 2006 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
Kathryn H. Vratil  
United States District Judge