

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

SOLOMON J. TEMPLAR, #74279,)
formerly known as)
Joseph L. Thomas,)
 Plaintiff,)
))
v.) No. 05-CV-3217-MLB
))
(FNU) HARRISON,)
 Defendant.)
_____)

MEMORANDUM AND ORDER and ORDER TO SHOW CAUSE

Before the court are following:

1. Plaintiff's "Motion to Attach" (Doc. 7);
2. Plaintiff's motion for alternative resolution (Doc. 8); and
3. Plaintiff's motion for default judgment and to join additional parties (Doc. 12).

Plaintiff is an inmate serving a life term at the United States Disciplinary Barracks in Leavenworth, Kansas. He has filed what he styles as a civil rights complaint seeking the following relief:

Plaintiff prays the court will order that all inmates of the United States Disciplinary Barracks be joined as plaintiffs in this civil action, that secondly this court order that defendant allow inmates of the United States Disciplinary Barracks a right to purchase and own stereo AM/FM CD players for personal use as such described below:

Clear plastic units with AM/FM digital radio to include AC/DC power adapter to be purchased from a commercial source. To be allowed to purchase a set number of CDs up to (20) that may be reviewed by the Publications Advisory Board to determine to content approval if it is in question, ordered from a commercial source.

The file reflects that summonses were sent to the U.S. Marshals' office for service on June 20, 2005. Summons on defendant was returned August 10, 2005 (Doc. 11) showing an answer date of September 19, 2005.

When plaintiff filed this case, he utilized the name Joseph L. Thomas. In his "Motion to Attach," plaintiff seeks that his name on all pleadings be changed to Solomon J. Templar. Plaintiff has attached what purports to be an "Order Changing Name" dated June 29, 2005 signed by a judge of the District Court of Leavenworth County, Kansas.¹ Henceforth, all submissions shall reflect that plaintiff is Solomon J. Templar, #74279, formerly known as Joseph L. Thomas.

Plaintiff's motion for alternative resolution is denied, without prejudice to reassertion in the event this case is allowed to proceed.

Plaintiff's motions to join in the entire inmate population of the United States Disciplinary Barracks and for default judgment are denied.

ORDER TO SHOW CAUSE

On or before September 9, 2005, plaintiff shall show cause why this action should not be dismissed, with prejudice, as frivolous pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i). Plaintiff's submission shall not exceed five

¹K.S.A. 60-1402(c) allows for a change of name if a judge finds "reasonable cause" for the name change. The reason why the judge presumably found "reasonable cause" is unknown. Allowing convicts to change their names seems to this judge to be bad policy given the penchant of criminals to use multiple identities to avoid identification and arrest.

double-spaced pages. Plaintiff shall file no other submission of any type or description until further order of this court.

IT IS SO ORDERED.

Dated this 18th day of August 2005, at Wichita, Kansas.

s/ Monti Belot
Monti L. Belot
UNITED STATES DISTRICT JUDGE