

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BRADLEY A. EVERTSON,

Plaintiff,

Vs.

No. 05-4046-SAC

TOPEKA ASSOCIATION FOR
RETARDED CITIZENS,

Defendant.

MEMORANDUM AND ORDER

The case comes before the court on the plaintiff's filing entitled, "Petition to Reconsider the Order by the Honorable Sam A. Crow by the Administrative Judge." (Dk. 17). The filing asks the court to reconsider its earlier rulings that denied the plaintiff's requests for default judgment. This filing does little more than restate the arguments that were advanced and rejected in the court's prior orders. It fails to show an intervening change in the law, the availability of new evidence or the need to correct clear error or to avoid manifest injustice. D. Kan. Rule 7.3. The court is presented with no persuasive reason for reconsidering its prior finding that the plaintiff failed to prove Arthur Palmer was an agent authorized to receive service of process on behalf of the defendant. Because its filed orders (Dks. 11 and 16) fully explain the factual and legal reasons for its

rulings, the court will not lengthen the record with yet another recitation of the law and facts behind the decision that the defendant had not been properly served with the complaint and summons.

IT IS THEREFORE ORDERED that the plaintiff's "Petition to Reconsider the Order by the Honorable Sam A. Crow by the Administrative Judge" (Dk. 17) is denied.

Dated this 15th day of December, 2005, Topeka, Kansas.

s/ Sam A. Crow
Sam A. Crow, U.S. District Senior Judge