

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

DANIEL PHILLIPS,

Plaintiff,

v.

KIMBRA L. MARTIN,

Defendant.

CIVIL ACTION

No. 06-2442-KHV

AMENDED ORDER

Daniel Phillips brings suit against Kimbra L. Martin, his ex-wife, seeking a declaration that he has fully satisfied his child support obligations and that he is not bound by the child support enforcement orders of the Washington state courts. On March 1, 2007, the Court dismissed plaintiff's complaint for lack of subject matter jurisdiction but granted plaintiff leave to file an amended complaint. See Memorandum And Order (Doc. #19) at 4-5. On March 16, 2007, plaintiff filed an amended complaint. On May 9, 2007, defendant filed a motion for summary judgment. See Defendant's Motion For Summary Judgment On Plaintiff's 1st Amended Complaint And Counts 1-3 Of Defendant's Counterclaim (Doc. #32). On May 15, 2007, the Court stayed further proceedings in this matter pending briefing on the Rooker-Feldman doctrine. See Order And Order To Show Cause (Doc. #38) at 2-3. On September 24, 2007, the Court held that plaintiff had shown good cause why the Court should not dismiss the case under the Rooker-Feldman doctrine and lifted the stay. See Order And Order To Show Cause (Doc. #44) at 2. The Court further ordered that on or before October 15, 2007, plaintiff must show good cause in writing why the Court should not abstain from hearing this action under Younger v. Harris, 401 U.S. 37 (1971), and file a memorandum in opposition to Defendant's Motion For Summary Judgment On Plaintiff's 1st Amended Complaint

And Counts 1-3 Of Defendant's Counterclaim (Doc. #32) filed May 9, 2007. See id. at 2-3.

This matter is before the Court on plaintiff's Motion For Extension Of Time (Doc. #45) filed October 11, 2007. Plaintiff states that on Monday (apparently October 8, 2007), he consulted with an attorney who agreed to represent him if the Court grants a 30-day extension of all deadlines in the Court's order of September 24, 2007. Plaintiff, who represents that he himself is a licensed attorney in Missouri, filed this case one year ago. See Complaint (Doc. #1) filed October 12, 2006. Plaintiff has had adequate time to consult an attorney who is licensed in Kansas. The Court finds that an additional 11 days will give plaintiff an adequate opportunity, with or without counsel, to file a response to the Court's order to show cause and a response to defendant's motion for summary judgment.

IT IS THEREFORE ORDERED that plaintiff's Motion For Extension Of Time (Doc. #45) filed October 11, 2007 be and hereby is **SUSTAINED in part**. **On or before October 26, 2007, plaintiff shall show good cause in writing why the Court should not abstain from hearing this action under Younger v. Harris, 401 U.S. 37 (1971). On or before November 19, 2007, defendant may file a reply. On or before October 26, 2007, plaintiff shall file a memorandum in opposition to Defendant's Motion For Summary Judgment On Plaintiff's 1st Amended Complaint And Counts 1-3 Of Defendant's Counterclaim (Doc. #32) filed May 9, 2007. On or before November 19, 2007, defendant may file a reply brief.**

Dated this 22nd day of October, 2007 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Court