

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

**MICHAEL LEE STROPE and
ALAN W. KINGSLEY,**

Plaintiffs,

v.

Case No. 06-3150-JWL

JIM COLLINS, et al.,

Defendants.

ORDER

Plaintiffs Michael Lee Strobe and Alan W. Kingsley are inmates who are proceeding pro se in this lawsuit brought pursuant to 42 U.S.C. § 1983 against various prison officials at Lansing Correctional Facility arising from the defendants' alleged censorship and seizure of plaintiffs' prison mail. Mr. Kingsley is incarcerated at Lansing Correctional Facility and Mr. Strobe is incarcerated at Hutchinson Correctional Facility, both of which are within the Kansas Department of Corrections. This matter comes before the court on Mr. Kingsley's "Notification of Violation of Correspondence Order of September 6, 2006" (doc. #57). Therein, Mr. Kingsley alleges that prison officials have interfered with legal mail between Messrs. Strobe and Kingsley. Mr. Kingsley asks the court to require defendants to notify the mailroom at Hutchinson Correctional Facility to cease and desist their assertedly unlawful censorship of plaintiffs' legal mail. The motion is premised on the notion that this alleged censorship violates the court's order dated September 6, 2006. This argument, however,

reflects a fundamental misunderstanding about the nature of the court's September 6, 2006, order. In that order, the court simply noted that it had received correspondence from plaintiff "and finds that no action will be taken at this time." Order (doc. #18). The court did not grant plaintiffs any relief with respect to correspondence between them or any other prison mail. Consequently, to the extent that Mr. Kingsley seeks now seeks relief based on an asserted violation of the court's prior order, Mr. Kingsley's motion is without merit.

IT IS THEREFORE ORDERED BY THE COURT that to the extent that Mr. Kingsley's "Notification of Violation of Correspondence Order of September 6th, 2006" can be construed as a motion, the motion is denied.

IT IS SO ORDERED this 21st day of May, 2007.

s/ John W. Lungstrum
John W. Lungstrum
United States District Judge