

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JASON ALAN JUSTICE,

Petitioner,

v.

CASE NO. 07-3121-SAC

LOUIS BRUCE,

Respondent.

O R D E R

This action was construed as a petition for writ of habeas corpus, 28 U.S.C. §§ 2241, 2254, and was dismissed without prejudice for failure to exhaust state remedies. Petitioner, who has had at least three cases pending in this court within the last year, has submitted a letter to the court which has been filed only in this case as a Motion to Reopen¹ (Doc. 6). Having considered the letter, the court finds that no reason is alleged or exists for the court to reopen this case. Petitioner's allegations that he has received no word "from any of the county courts" in which he initially filed habeas complaints and that it has been about two months, do not establish that he has exhausted state court remedies or that there is an absence of state corrective process.

IT IS THEREFORE ORDERED that petitioner's Motion to Reopen Case (Doc. 6) is denied.

IT IS SO ORDERED.

Dated this 25th day of July, 2007, at Topeka, Kansas.

¹Petitioner was informed by the clerk of the court of this construction of his letter, which was one of many papers he sent to the court in a large envelop received on June 5, 2007.

s/Sam A. Crow

U. S. Senior District Judge