

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

ROLLY O. KINNELL,

Plaintiff,

v.

CASE NO. 07-3241-SAC

BILL CLINTON,

et al.,

Defendants.

O R D E R

On October 23, 2007, the court entered an Order in this civil action denying plaintiff's application for leave to proceed without prepayment of fees because he has previously been designated a three-strikes litigant under 28 U.S.C. § 1915(g). Plaintiff was ordered to submit the full \$350.00 filing fee within thirty (30) days or suffer dismissal of this action. Instead of paying the fee, Mr. Kinnell filed a Notice of Interlocutory Appeal and has filed numerous other motions and pleadings herein.

On November 14, 2007, the Tenth Circuit Court of Appeals dismissed Mr. Kinnell's "attempted appeal" for failure to prosecute pursuant to Tenth Circuit Rule 42.1. Currently pending before this court are plaintiff's Motion to strike one defendant and add the undersigned judge as a defendant (Doc. 15), Motion for Leave to File Declaratory Right to Proceed Pursuant to Rule 60(b) and Rule 57 (Doc. 20), Motion for Leave to File Addendum (Doc. 21), Motion for Stay (Doc. 23), and Motion for Leave to File Amendment (Doc.

24). None of these motions contains any information which relieves plaintiff from his obligation to pay the filing fee herein.

The time in which plaintiff was to have submitted the filing fee in this action has expired as well as a reasonable time after his interlocutory appeal was dismissed, and he has still not submitted the fee. The court concludes this action must be dismissed on account of Mr. Kinnell's failure to pay the filing fee.

**IT IS THEREFORE ORDERED** that this action is dismissed and all relief is denied due to plaintiff's failure to pay the filing fee as ordered.

**IT IS FURTHER ORDERED** that plaintiff's motions (Nos. 15, 20, 21, 23, 24) are denied as moot.

**IT IS SO ORDERED.**

Dated this 12th day of February, 2008, at Topeka, Kansas.

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