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

<b>MICHAEL H. GREEN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 08-3260-JAR</b>
	)	<b>Lead Case No. 06-3198</b>
<b>ROGER WERHOLTZ, et al.</b>	)	
	)	
<b>Defendants.</b>	)	
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	)	
<b>DAVID G. DELIMONT,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 08-3261-JAR</b>
	)	<b>Lead Case No. 06-3198</b>
<b>ROGER WERHOLTZ, et al.</b>	)	
	)	
<b>Defendants.</b>	)	
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**ORDER**

On November 17, 2010, this Court issued an Order to Show Cause directing plaintiffs Michael H. Green and David G. Delimont to show cause in writing on or before December 8, 2010, why the Complaints in Case Nos. 08-3260 and 08-3261 should not be dismissed against the State Defendants for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. 11). Plaintiffs have not responded to the Order to Show Cause. Accordingly,

**IT IS THEREFORE ORDERED BY THE COURT** that plaintiffs' complaints are dismissed, with prejudice, with respect to State Defendants Roger Werholtz, William Cummings, James K. Jones, David R. McKune and Collette Winkelbauer.

**IT IS SO ORDERED.**

Dated: December 14, 2010

S/ Julie A. Robinson  
JULIE A. ROBINSON  
UNITED STATES DISTRICT JUDGE