

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JAMES W. WOODWARD AND
DESTINY BROWN,

Plaintiffs,

vs.

Case No. 09-1410-JTM

RANDY COFFMAN, ALSO KNOWN AS RANDI
KAUFFMAN OR RANDY KAUFFMAN,

Defendant.

MEMORANDUM AND ORDER

This matter is before the court on the Motion for Judgment on the Pleadings submitted by the last defendant remaining in the case, Andover Police Captain Randy Coffman. Coffman argues that the present action is an unlawful collateral attack on a state child custody proceeding, and that the court should abstain pursuant to *Younger v. Harris*, 401 U.S. 37 (1971). The plaintiffs have submitted no response to Coffman's motion.

The court has previously granted the dispositive motions of other defendants in this action, premised in whole or part on *Younger* abstention. (Dkt. 118, 129). In reaching this conclusion in its last Order, the court found that D.Kan.R. 7.1 required a specific responsive pleading to the motions filed by the defendants. The court held that plaintiffs' "generic, preemptive request that the court deny any future dismissals of the remaining defendants" failed to comply with Rule 7.1.

Accordingly, the court granted the motion to dismiss both for good cause and pursuant to D.Kan.R. 7.4. The plaintiffs have supplied no rationale why the same result should not obtain as to defendant Coffman's motion.

IT IS ACCORDINGLY ORDERED this 21st day of December, 2011, that the defendant's Motion to Dismiss (Dkt. 127) is granted.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE