

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

LAWRENCE L. KELLY,)	
)	
Plaintiff,)	
v.)	
)	No. 09-2302-CV-FJG
UNITED STATES OF AMERICA,)	
Defendant.)	

ORDER

Pending before the Court is Plaintiff’s Federal Rule of Civil Procedure 62 Stay of Proceedings to Enforce Judgement, Rule 50 for Judgment as a Matter of Law, Rule 52(b) to Amend Findings or for Additional Findings; Section 818 of the Fair Housing Act (Doc. No. 13). On August 25, 2009, this Court denied plaintiff’s motion to proceed in forma pauperis and denied plaintiff’s motion for appointment of counsel (see Doc. No. 11), as plaintiff was seeking relief against parties who are judicially immune. Plaintiff’s case was dismissed without prejudice to the filing of a paid complaint.

Given the posture of this case, the Court finds that there is no judgment as to which plaintiff may seek a stay of proceedings under Rule 62 of the Federal Rules of Civil Procedure, nor is there any reason for a judgment as a matter of law pursuant to Federal Rule of Civil Procedure 50. Plaintiff also is not entitled to amended findings under Rule 52(b) of the Federal Rules of Civil Procedure.¹ Finally, to the extent that plaintiff might be seeking reconsideration under Rules 59 or 60 of the Federal Rules of Civil Procedure, the Court finds that reconsideration is not warranted. Therefore, plaintiff’s motion (Doc. No. 13) will be **DENIED**.

¹Notably, a motion under Rule 52(a) must be filed no later than 10 days after the entry of judgment. Plaintiff’s motion was filed on September 18, 2009, or 22 days after the entry of judgment.

IT IS FURTHER ORDERED that the Clerk of the Court send a copy of this order via regular and certified mail to plaintiff at the following address:

Lawrence L. Kelly
5557 Santa Fe Drive
Overland Park, KS 66202

IT IS SO ORDERED.

Date: 09/23/09
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge