

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

NOLAN McKENZIE,

Plaintiff,

vs.

Case No. 10-2128-RDR

PHILLIP SIEVE, et al.,

Defendants.

O R D E R

On April 6, 2010, this court dismissed the above-captioned case without prejudice. The court explained that plaintiff was suing one defendant who had judicial immunity and that the other defendant named by plaintiff was entitled to sovereign immunity against federal claims for civil rights violations.

This case is before the court upon plaintiff's "opposition" to the above-described order of dismissal (Doc. No. 10) and plaintiff's motion for trial setting (Doc. No. 11).

Plaintiff's "opposition" shall be considered a motion for reconsideration and shall be denied. Plaintiff does not cite any legal authority or other grounds for disputing the court's findings of judicial immunity and sovereign immunity. Plaintiff only asserts that the court is biased against him or in favor of the defendants. There is no legal reason to reconsider the order of dismissal.

Plaintiff's motion for trial setting shall be denied because

this court has ordered that this case be dismissed. The court would also note that the motion for trial setting lists two case numbers (Case No. 10-2127 and Case No. 10-2128) and the caption on the pleading does not fit either case number.

IT IS SO ORDERED.

Dated this 15th day of October, 2010 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge