

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

PATRICK C. LYNN,

Petitioner,

v.

CASE NO. 10-mc-00302-SAC

SAM CLINE, Warden,
Hutchinson Correctional
Facility,

Respondent.

O R D E R

This matter is before the court upon plaintiff's post-judgment motion (Doc. 5). This action was dismissed and all relief was denied by Order entered on January 6, 2011. Plaintiff thereafter apparently directed the mailing of a letter and a document directly to chief Judge Vratil, which referred to this and another case number. The document is entitled: ". . . Verified Rebuttal With Requests for Recusal of SAC & to Vacate 1-6-11 Order & Reconsiderations Per Rule 60(b)(4),(5), & (6); and Request for Urgent Orders." The document was forwarded to the clerk and filed in this case on February 3, 2011. The document purportedly alleges "updated facts since (Lynn's) 12-23-10 letter facts to Chief Judge Vratil" and states that it was "never the intent to have (his earlier) letter and Affidavit to Chief Judge Vratil invoking 18 U.S.C. § 3332(a), to be 'liberally construed' as a habeas or civil lawsuit. Mr. Lynn complains about the rulings in this case and others and threatens to threaten the life of the undersigned judge. The relief requested in this document is for the Chief Judge to review the alleged errors by the undersigned judge and to order

reassignment of this matter to her; vacate this court's Order of January 6, 2011; order an immediate videotape of plaintiff and his evidence for presentation to the Grand Jury; order the appointment of an "Amicus Curiae"; and reopen two of his prior federal cases which were dismissed by the undersigned judge, consolidate those cases with the instant closed case, and hold a video-teleconference for oral arguments.

Judge Vratil entered an Order herein (Doc. 7) stating that "she will not taken action on this motion." Judge Vratil's order effectively denies the specific relief that is requested by plaintiff in this motion, which is for action to be taken by the Chief Judge under her administrative authority. Moreover, the Chief Judge stated in her order that she "refers this matter to the United States Attorney for any appropriate proceedings before the grand jury." The court finds that the relief requested by plaintiff in this motion (Doc. 5) has been denied, and that the referral by Judge Vratil grants relief requested by plaintiff in this action. It thus appears that the plaintiff's motion (Doc. 5) is moot.

IT IS THEREFORE ORDERED that plaintiff's Motion for actions to be taken in this case post-judgment by the Chief Judge (Doc. 5) is dismissed as moot.

IT IS SO ORDERED.

Dated this 24th day of May, 2011, at Topeka, Kansas.

s/Sam A. Crow

U. S. Senior District Judge