

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

SHELIA D. HUDSON,

Petitioner,

v.

CASE NO. 11-3074-SAC

KANSAS PAROLE BOARD,

Respondent.

O R D E R

This action was styled as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 by an inmate of the Topeka Correctional Facility, Topeka, Kansas. On June 14, 2011, this court entered an Order granting petitioner time in which to show cause why the action should not be dismissed for the reasons stated therein. Ms. Hudson has filed a timely response (Doc. 4), which she entitled "Motion for Order to Show Cause." Having considered the response together with the case file, the court finds that this action must be dismissed.

In her response, Ms. Hudson alleges that she is "simply requesting" this court "to respond to" her 60-1501 motion that is pending in a state district court. As she was informed in the court's prior Order, the United States District Court is not a super appeals court for the state district court, and it is the state appellate courts with mandamus power over that court.

Also in her response, Ms. Hudson claims that the issue raised in her 60-1501 motion, "the expiration of 81CR418," has never been argued in any court. This allegation is patently false.

As the court noted in its prior Order, Ms. Hudson has repeatedly raised this claim in state and federal court, and it has been rejected on the merits.

The court concludes that petitioner has not shown cause as required. As a result, this action is dismissed for the reasons stated in the court's Order dated June 14, 2011.

IT IS THEREFORE BY THE COURT ORDERED that petitioner's Motion for Order to Show Cause (Doc. 4) is denied, and this action is dismissed and all relief is denied.

IT IS SO ORDERED.

Dated this 29th day of July, 2011, at Topeka, Kansas.

s/Sam A. Crow
U. S. Senior District Judge