

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MICHAEL ANTHONY MILLER,

Petitioner,

v.

CASE NO. 11-3094-SAC

STATE OF CALIFORNIA,

Respondent.

O R D E R

On June 14, 2011, the court screened the petition filed in this case and entered an order granting petitioner 15 days to provide the financial information required by federal law to support his motion to proceed in forma pauperis and to show cause why this action should not be dismissed, without prejudice, for improper venue and lack of jurisdiction. Petitioner has since filed a "Response" regarding the requisite financial information. He has also filed a "Response to Show Cause Order" that together with the attached exhibits amounts to over 500 pages.

The financial information provided by petitioner is not a copy of all transactions in his inmate account for the six-months immediately preceding the filing of this action. However, based upon the limited information before it, the court will grant the motion to proceed in forma pauperis for the purpose of dismissing this action.

The court finds that this action must be dismissed for the reasons stated in its Order entered on June 14, 2011. Petitioner's Response to Show Cause Order asserting that this court has

jurisdiction because the California courts are "rogue" courts is frivolous. His voluminous exhibits are not at all responsive to the court's Show Cause Order. Neither establishes that this court has jurisdiction over any of his claims or that the District of Kansas is the proper venue.

This is the fourth such frivolous and abusive action filed in this court by Mr. Miller. Mr. Miller is forewarned that if he continues to file frivolous actions in this court, sanctions may be imposed.

IT IS THEREFORE BY THE COURT ORDERED that petitioner's Motion for Leave to Proceed in forma pauperis (Doc. 2) is granted for the purpose of dismissing this action only.

IT IS FURTHER ORDERED that this action is dismissed for lack of jurisdiction and improper venue, and all relief is denied for reasons stated in the court's Order entered June 14, 2011, and herein.

IT IS FURTHER ORDERED that any application for a certificate of appealability is denied.

IT IS SO ORDERED.

Dated this 13th day of July, 2011, at Topeka, Kansas.

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