

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>CRIMINAL ACTION</b>
<b>v.</b>	)	
	)	<b>No. 12-20099-01-KHV</b>
<b>MENDY READ-FORBES,</b>	)	
	)	
<b>Defendant.</b>	)	
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**MEMORANDUM AND ORDER**

On April 23, 2015, the Court sentenced defendant to 240 months in prison. This matter is before the Court on defendant’s pro se Petition For Audita Querela (Doc. #466) filed December 15, 2021. For reasons stated below, the Court dismisses defendant’s petition.

On July 21, 2020, the Court appointed counsel to represent defendant on her Petition For Writ Of Audita Querela Or Other Appropriate Relief Pursuant To The All Writs Act (Doc. #366) filed December 6, 2019. On October 21, 2021, defendant asked the Court to stay the deadline for her to file a reply brief in support of her petition for writ of audita querela because she had submitted a request for home confinement to the Bureau of Prisons. Motion To Stay Proceedings (Doc. #462). Because defendant filed her petition for writ of audita querela some two years ago and the petition presented several complex legal and factual issues, the Court determined that updated briefing would be necessary from both parties. Accordingly, the Court overruled defendant’s motion to stay and dismissed without prejudice her petition for writ of audita querela. See Memorandum And Order (Doc. #463) filed November 1, 2021 at 1.

Defendant now has filed a new pro se petition for writ of audita querela. As explained above, the Court appointed counsel to represent defendant on her prior petition seeking the same

relief. Based on the complexity of the issues in defendant's petition and the substantial resources that appointed counsel has expended, the Court dismisses defendant's pro se petition without prejudice. To the extent that defendant wants to pursue her request for a writ of audita querela, she may file a renewed motion *through appointed counsel*.

**IT IS THEREFORE ORDERED** that defendant's pro se Petition For Audita Querela (Doc. #466) filed December 15, 2021 is **DISMISSED without prejudice**.

Dated this 5th day of January, 2022 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge