

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

STATE OF KANSAS,

Plaintiff,

vs.

DAVID MARTIN PRICE,

Defendant.

Case No. 13-4080

MEMORANDUM AND ORDER

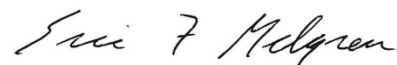
On July 30, 2013, Defendant David Price filed a Notice of Removal to this Court. On August 5, 2013, Magistrate Judge Sebelius issued a Notice and Order to Show Cause why this case should not be dismissed for Defendant's failure to include the underlying state court documents with his removal, as required by 28 U.S.C. § 1446(a), for failure to timely file a notice of removal under 28 U.S.C. § 1446(b), and for lack of subject matter jurisdiction (Doc. 7). Judge Sebelius' order patiently explained that Defendant was required to provide a copy of all process, pleadings, and orders served upon Defendant from the underlying state court action. Judge Sebelius also expressed concern that the, from what little could be discerned from the filings Defendant made in this case, that removal may be both untimely and may involve a

matter for which federal courts lacked subject matter jurisdiction. Accordingly, Defendant was required to show cause on or before August 26, 2013.

On August 13, 2013 Defendant filed his Response to the Order to Show Cause (Doc. 9), as well as a Supplement (Doc. 10). No other filings have been made. These filings included a four page statement in which Defendant argued about federal court jurisdiction in the abstract, and a copy of his Notice of Removal filed in the Shawnee County District Court. However, he did not provide this Court with any other pleadings filed in the state court, as required by Judge Sebelius' order. Furthermore, like Judge Sebelius, this Court strongly suspects, from the scant documents which have been filed, that the case is years late for timely removal, and involves matters concerning child support – matters for which United States Courts do not have jurisdiction. Due to the failure of Defendant to submit the complete state court file, those suspicions cannot be verified. However, the failure to submit the complete file is non-responsive to the Show Cause Order, and that basis alone is grounds to dismiss Defendant's case.

IT IS ACCORDINGLY ORDERED this 27th day of August, 2013, that this case is hereby **DISMISSED**.

IT IS SO ORDERED.



ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE