

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

DAVID-RAY KNITTEL,

Plaintiff,

v.

CASE NO. 17-3132-SAC-DJW

KEITH SCHROEDER,

Defendant.

ORDER

This matter is before the Court on Plaintiff's Motion for Order Waiving Filing Fees (Doc. 16). On September 26, 2017, the Court entered a Memorandum and Order ("M&O") dismissing this action for failure to state a claim for relief under 42 U.S.C. § 1983. (Doc. 7.) The Court found that Plaintiff's complaint failed to address the deficiencies set forth in the Court's Notice and Order to Show Cause (Doc. 2) ("NOSC") and failed to set forth a ground for federal relief. Plaintiff filed a motion for reconsideration (Doc. 9). On October 4, 2017, the Court entered a Memorandum and Order denying Plaintiff's motion for reconsideration. (Doc. 11.) Plaintiff then filed objections to the Court's orders and motions to continue his case (Docs. 12, 13, 14). On October 17, 2017, the Court denied the motions for the reasons set forth in the Court's Memorandum and Order denying Plaintiff's motion for reconsideration. (Doc. 15.)

Plaintiff's current Motion for Order Waiving Filing Fees (Doc. 16) is largely incomprehensible and frivolous. Plaintiff asserts that the "charges for filing fees are prohibitory and discourages the average person from filing" and "[a]ny cost demanded from a natural person/citizen is a limitation and restriction upon the use of the courts." (Doc. 16, at 3, 6.) Section 1915(a)(1) provides that:

Any court of the United States may authorize the commencement, prosecution or

defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefore, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or security therefor.

28 U.S.C. § 1915(a)(1). Pursuant to this statute, the Court granted Plaintiff leave to proceed *in forma pauperis* in this case. (Doc. 6.) Thus, Plaintiff was allowed to proceed without prepayment of the filing fee. This case was dismissed for failure to state a claim. If Plaintiff continues to file frivolous motions in this closed case, the Court will consider imposing filing restrictions on Plaintiff.

IT IS THEREFORE ORDERED BY THE COURT that Plaintiff's Motion for Order Waiving Filing Fees (Doc. 16) is **denied**.

IT IS SO ORDERED.

Dated on this 30th day of November, 2017, in Topeka, Kansas.

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