

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

DANIEL J. JACKSON,

Plaintiff,

v.

Case No. 18-1016-JWB

GREG JACKSON, *et al.*,

Defendants.

**MEMORANDUM AND ORDER**

This matter is before the court on a Report and Recommendation (Doc. 8) by Magistrate Judge Kenneth Gale. The Report recommends that Plaintiff's complaint be dismissed for failure to state a claim upon which relief can be granted. (Doc. 8 at 7). For the reasons stated below, the court ADOPTS the Report and Recommendation and DISMISSES Plaintiff's complaint.

The Report cautioned Plaintiff that he had 14 days after receiving the Report to object to it. (Doc. 8 at 7). The Report was served upon Plaintiff on April 23, 2018 (Doc. 9). Plaintiff has not filed any objection, and the time for doing so has now expired.

The court has reviewed the complaint, which includes allegations that Plaintiff is running for a seat in the House of Representatives in the State of Kansas, that Defendants are making false claims to deter him from running, and that Plaintiff is seeking to have the Defendants' cell phones and other devices seized. (Doc. 1 at 5-6). The court has also reviewed the Magistrate Judge's analysis of the complaint. The court agrees with the Magistrate's conclusion that, even construing the complaint in the light most favorable to Plaintiff, "the Court cannot surmise a valid cause of action from the allegations set forth," and that it would be futile to allow Plaintiff to amend his

complaint. (Doc. 8 at 6). Accordingly, pursuant to 28 U.S.C. § 1915(e), the court concludes the complaint must be dismissed.

**IT IS THEREFORE ORDERED** this 24th day of May, 2018, that the Report and Recommendation (Doc. 8) is hereby ADOPTED, and Plaintiff's complaint is DISMISSED for failure to state a claim upon which relief can be granted.

s/ John W. Broomes  
JOHN W. BROOMES  
UNITED STATES DISTRICT JUDGE