

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

PAMELA LYNN CUMMINGS,

Plaintiff,

v.

Case No. 20-2371-DDC

AARON OTHMER, et al.,

Defendants.

**ORDER**

On July 31, 2020, the pro se plaintiff, Pamela Lynn Cummings, filed this wrongful-foreclosure action against defendants.<sup>1</sup> She has since filed three motions for default judgment<sup>2</sup> that remain pending before the presiding U.S. District Judge, Daniel D. Crabtree, in addition to defendants' motion to dismiss.<sup>3</sup> Plaintiff has now filed a motion (ECF No. 26) indicating she intends to file a criminal complaint and requesting an appointment to have the complaint signed and sworn to in the presence of the undersigned U.S. Magistrate Judge, James P. O'Hara. The clerk's office has confirmed with plaintiff that she intended to file this document in her civil case.

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<sup>1</sup> ECF No. 1.

<sup>2</sup> ECF Nos. 13, 18, 24.

<sup>3</sup> ECF No. 6.

As a private citizen, plaintiff “lacks a judicially cognizable interest in the prosecution or non-prosecution of another.”<sup>4</sup> Plaintiff therefore lacks standing to bring these criminal claims in the civil case.<sup>5</sup> The court therefore denies plaintiff’s motion (ECF No. 26). If plaintiff thinks criminal charges should be filed in connection with her allegations, she may contact the FBI or U.S. Attorney’s Office.

IT IS SO ORDERED.

Dated June 4, 2021, at Kansas City, Kansas.

s/ James P. O’Hara  
James P. O’Hara  
U.S. Magistrate Judge

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<sup>4</sup> *D’Addabbo v. Smith*, 2017 WL 9481234, at \*3 (D. Utah Aug. 7, 2017), *report and recommendation adopted*, No. 1:17-CV-30, 2017 WL 4286607 (D. Utah Sept. 27, 2017).

<sup>5</sup> *Id.* (citing *Keyter v. 535 Members of the 110th Congress*, 277 F. App’x 825, 827 (10th Cir. 2008) (unpublished)).