

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

TRAVIS WAYNE WOLVERTON,

Plaintiff,

v.

CASE NO. 20-3012-SAC

SHAWNEE COUNTY DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

O R D E R

This matter is before the Court on a civil rights complaint filed pursuant to 42 U.S.C. § 1983. Plaintiff, a detainee at the Shawnee County Department of Corrections, proceeds pro se, and his fee status is pending.

Plaintiff alleges the defendant officials interfered with his religious observance on November 26, 2019. He seeks damages.

The Court finds the proper processing of plaintiff's claims cannot be achieved without additional information from appropriate officials of the Shawnee County Department of Corrections. See *Martinez v. Aaron*, 570 F.2d 317 (10<sup>th</sup> Cir. 1978). See also *Hall v. Bellmon*, 935 F.2d 1106 (10<sup>th</sup> Cir. 1991).

IT IS, THEREFORE, BY THE COURT ORDERED:

- (1) Officials responsible for the operation of the Shawnee County Department of Corrections are directed to undertake a review of the subject matter of the complaint:
  - a. To ascertain the facts and circumstances;

- b. To consider whether any action can and should be taken by the institution to resolve the subject matter of the complaint;
  - c. To determine whether other like complaints, whether pending in this court or elsewhere, are related to this complaint and should be considered together.
- (2) Upon completion of the review, a written report shall be compiled which shall be attached to and filed with the Court. Statements of all witnesses shall be in affidavit form. Copies of pertinent rules, regulations, official documents, and, wherever appropriate, the reports of medical or psychiatric examinations shall be included in the written report.
  - (3) Authorization is granted to the officials of the Shawnee County Department of Corrections to interview all witnesses having knowledge of the facts, including the plaintiff.
  - (4) The report shall be submitted to the Court on or before **March 20, 2020**. Upon completion of the report, the plaintiff will have to and including **March 31, 2020**, to respond. The Court will then conduct a review of the record and will determine whether service is necessary in this matter.

IT IS FURTHER ORDERED the clerk of the court shall enter the Shawnee County Department of Corrections as an interested party on the docket for the limited purpose of preparing the *Martinez* report ordered herein. Upon the filing of that report, the Department of

Corrections may move for termination from this action.

Copies of this order shall be transmitted to the parties.

**IT IS SO ORDERED.**

DATED: This 4th day of February, 2020, at Topeka, Kansas.

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