

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

**ERNEST L. TAYLOR,**

**Petitioner,**

**v.**

**CASE NO. 21-3088-SAC**

**SHANNON MEYER,**

**Respondent.**

**MEMORANDUM AND ORDER**

This matter is a petition for writ of habeas corpus filed under 28 U.S.C. § 2254 that has been stayed so that Petitioner can exhaust state-court remedies on two of his claims. (Doc. 13.) In the order granting the stay, the Court directed Petitioner to file a status report to advise the Court of the status of his state proceedings. Petitioner has filed three status reports. (Docs. 17, 18, and 19.)

The Court has carefully reviewed the status reports. It appears that Petitioner attempted to file a K.S.A. 60-1507 motion in Shawnee County District Court, but that motion was returned to Petitioner for some reason. (Docs. 17 and 19.) The latest status report advises the Court that Petitioner has refiled the 1507 motion. (Doc. 19.) The Court will direct Petitioner to file an additional status report with this Court, on or before May 4, 2022, advising the Court of the status of his state-court 60-1507 proceedings. The status report shall include the state district court case number of the 60-1507 proceedings, the date on which the 60-1507 motion was filed, and the current status of those proceedings. If a decision is entered

on Petitioner's 60-1507 motion by the state court before May 4, 2022, Petitioner is directed to notify this Court within 10 days and, if possible, to provide a copy of any decision issued. Petitioner need not take any other action in this Court at this time; his federal habeas petition remains stayed.

In addition, the online records of the Kansas appellate courts reflect that Petitioner has an appeal currently pending before the Kansas Court of Appeals, case number 124,624. The online records indicate that appeal number 124,624 challenges the state district court's denial of a motion for jail credit. As such, that appeal may not be relevant to the exhaustion of the issues in Petitioner's current federal habeas petition. In his status report, Petitioner is directed to inform the Court whether appeal 124,624 has any bearing on the two issues in his federal habeas petition that remain unexhausted.

**IT IS THEREFORE ORDERED** that Petitioner is granted to and including May 4, 2022, to file a status report with this Court providing the information identified in this order.

**IT IS SO ORDERED.**

DATED: This 4th day of March, 2022, at Topeka, Kansas.

S/ Sam A. Crow

SAM A. CROW

U.S. Senior District Judge