

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

ANTHONY EARL RIDLEY,

Petitioner,

v.

CASE NO. 21-3158-SAC

STATE OF KANSAS, et al.,

Respondents.

MEMORANDUM AND ORDER

This matter was filed as a petition for writ of mandamus pursuant to 28 U.S.C. § 1651(a). For the reasons set forth below, the Court will dismiss this matter.

Petitioner, who is proceeding pro se, filed a petition for writ of mandamus on July 8, 2021. (Doc. 1.) The Court conducted an initial review of the petition and concluded that it could not grant mandamus relief because “[f]ederal courts have no power to issue writs of mandamus to state officers,” which is the relief Petitioner sought. (Doc. 4.) See *Jackson v. Standifird*, 463 Fed. Appx. 736, 738 n.1 (10th Cir. 2012). Because Petitioner was pro se and it appeared that Petitioner raised some habeas corpus claims, however, the Court gave Petitioner the opportunity to submit an amended pleading under this case number presenting only his federal habeas claims. *Id.* The initial deadline for that petition was August 12, 2021, but after the Court granted Petitioner’s request for extension of time, the petition was due on August 27, 2021. (Doc. 6.)

On August 26, 2021, Petitioner filed a motion to appoint counsel (Doc. 8), a motion for directed verdict (Doc. 9), and over

200 pages of exhibits in support of his petition for writ of mandamus (Docs. 10-17). He did not file an amended pleading setting forth only his habeas claims.

On August 31, 2021, the Court issued a memorandum and order denying the motions and informing Petitioner that because his claims remain unclear, this matter cannot proceed unless Petitioner identifies his asserted grounds for habeas relief. (Doc. 18.) The Court allowed Petitioner another opportunity to submit an amended habeas petition and advised Petitioner that if he did not do so on or before October 1, 2021, this action would be dismissed without further notice. *Id.*

Although Petitioner has filed additional "exhibits . . . in support of [his] petition for writ of mandamus," (Doc. 19), he has not filed an amended petition, nor has he asked the Court for additional time in which to do so. Accordingly, this matter is dismissed because Petitioner has failed to state a plausible claim for relief.

IT IS THEREFORE ORDERED that the petition for writ of mandamus is denied and this matter is dismissed.

IT IS SO ORDERED.

DATED: This 7th day of October, 2021, at Topeka, Kansas.

S/ Sam A. Crow

SAM A. CROW

U.S. Senior District Judge