IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

RAFAEL PEREZ,

Petitioner,

v. **CASE NO. 26-3191-JWL**

STATE OF KANSAS,

Respondent.

MEMORANDUM AND ORDER

This matter is a pro se petition for writ of habeas corpus filed on June 23, 2026 pursuant to 28 U.S.C. § 2254 by Petitioner Rafael Perez, a state prisoner currently incarcerated at Lansing Correctional Facility in Lansing, Kansas. (Doc. 1.) On July 8, 2026, the Court issued a memorandum and order ("M&O") discussing the lack of certification of the inmate account statement submitted in support of Petitioner's motion for leave to proceed in forma pauperis. (Doc. 8.) It later came to the Court's attention that the certification was, in fact, on another page of the statement. (*See* Doc. 7, p. 2.) Therefore, on July 9, 2026, the Court issued a second M&O telling Petitioner to disregard the July 8, 2026 M&O. (Doc. 11.) The July 9, 2026 M&O also denied Petitioner's request for leave to proceed in forma pauperis and ordered him to pay the $5.00 filing fee on or before August 10, 2026 or "this case may be dismissed without prejudice and without further prior notice to him." *Id.* at 1-2.

Petitioner then filed an emergency motion for summary judgment (Doc. 10), which the Court denied in an M&O issued on July 20, 2026. (Doc. 11.) The July 20, 2026 M&O reminded Petitioner that "[t]he $5.00 filing fee remains due on August 10, 2026." *Id.* at 2. Later that day, Petitioner filed a one-page document in this case titled "Emergency." (Doc. 12.) The Court will refer to this as the emergency document. The emergency document advised that Petitioner had

received illegible copies of the M&Os issued on July 8 and 9, 2026. (*See* Docs. 12 and 12-1.) To the emergency document, Petitioner attached the copies of the M&Os he received, which have not printed fully, leaving portions of the text missing. *Id.* The emergency document asks the Court to provide copies of the orders and to restore Petitioner's access to "Justice, Rights, [and] Freedom." (Doc. 12, p. 1.)

The Court will direct the clerk to re-send Petitioner copies of the M&Os issued July 8 and 9, 2026. Petitioner is reminded that he does not need to comply with the July 8 M&O. In addition, the Court will extend the deadline by which Petitioner must submit the $5.00 filing fee in this matter. To the extent that Petitioner seeks any other relief through the emergency document, it is denied.

IT IS THEREFORE ORDERED that the Clerk shall mail to Petitioner, at no cost to Petitioner, copies of the orders issued on July 8, 2026 (Doc. 8) and July 9, 2026 (Doc. 9). Petitioner is granted until and including September 10, 2026 to pay the $5.00 filing fee for this case. If he fails to do so by this extended deadline, this case will be dismissed without prejudice and without further prior notice to him.

IT IS SO ORDERED.

DATED: This 10th day of August, 2026, at Kansas City, Kansas.

S/ John W. Lungstrum
JOHN W. LUNGSTRUM
United States District Judge