

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

KEITH RUSSELL JUDD

PLAINTIFF

v.

Civil No. 10-5075

UNITED STATES OF AMERICA

DEFENDANT

O R D E R

Now on this 20th day of August, 2010, come on for consideration the following:

* plaintiff's **Motion For Preliminary Injunction And Declaratory Judgment For Relief From Firearms Disability** (document #2);

* plaintiff's **Request For Leave To File Motion To Dismiss Indictment/Complaint For Violation Of Speedy Trial Act** (document #5);

* the **Magistrate Judge's Report And Recommendation** (document #7);

* plaintiff's **Motion To Recuse United States Court Of Appeals For The Fifth Circuit And The United States District Court For The Western District Of Texas - And Transfer To Supreme Court For Further Proceedings** (document 8); and

* plaintiff's **Objections To Magistrate Judge's Report And Recommendation** (document #11),

and the Court, being well and sufficiently advised, finds and orders as follows:

1. Plaintiff herein seeks, as noted by the Magistrate Judge, "relief from the proceedings involving him in the Western District of Texas." This claim is subject to dismissal for lack of subject matter jurisdiction. Plaintiff's Objections raise neither factual nor legal challenges sufficient to overcome this barrier, and to the extent he seeks such relief, it will be denied.

2. Plaintiff also asserts a challenge to certain gun control laws, stating that when he is released from prison he will be in constructive possession of various weapons he owned before incarceration. The Magistrate Judge analyzed his arguments from the perspective of the law now in effect, and found them wanting. The Court agrees with her analysis, and finds nothing in plaintiff's Objection that overcomes this analysis.

3. Plaintiff also moves for recusal of courts other than the Western District of Arkansas, and of judges other than the undersigned, and for transfer of his case to the United States Supreme Court. Recusal is an individual matter which each judge must decide for himself or herself. A case reaches the Supreme Court by reason of an appeal, not a transfer. The Court will not, therefore further consider this motion, and it will be denied.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report And Recommendation** (document #7) is **adopted in toto**.

IT IS FURTHER ORDERED that plaintiff's **Objections To**

Magistrate Judge's Report And Recommendation (document #11) are overruled.

IT IS FURTHER ORDERED that plaintiff's **Request For Leave To File Motion To Dismiss Indictment/Complaint For Violation Of Speedy Trial Act** (document #5) is **denied**.

IT IS FURTHER ORDERED that plaintiff's **Motion For Preliminary Injunction And Declaratory Judgment For Relief From Firearms Disability** (document #2) is **denied**.

IT IS FURTHER ORDERED that plaintiff's **Motion To Recuse United States Court Of Appeals For The Fifth Circuit And The United States District Court For The Western District Of Texas - And Transfer To Supreme Court For Further Proceedings** (document 8) is **denied**.

IT IS FURTHER ORDERED that this case is **dismissed with prejudice**.

IT IS SO ORDERED.

 /s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE