

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

EBRAHIM ADKINS,

Plaintiff,

v.

CASE NO. 11-3053-SAC

RICK ARMSTRONG, et al.,

Defendants.

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's combined motion for leave to file complaint and motion for relief from judgment (Doc. #17).

Plaintiff filed this action under 42 U.S.C. § 1983 in 2011 alleging violations of his constitutional rights arising from the refusal of the Kansas City Municipal Court to file motions in submitted in cases filed there. This Court found plaintiff's complaint failed to supply adequate factual support for any of the claims and that some parts of his claims for damages were barred by immunities. Plaintiff filed an amended complaint, but it, too, was insufficient to state a claim for relief, and the Court dismissed the action.

The U.S. Court of Appeals affirmed the dismissal of the action, and in 2012, the U.S. Supreme Court denied the petition for writ of certiorari.

In August 2017, plaintiff submitted the present motion. The Court has examined the lengthy pleading, much of which is comprised of copies of rulings in other cases. Fed.R.Civ.P. 60(b), under which plaintiff proceeds, allows for relief on numerous grounds, but relief under that provision is "extraordinary and may only be granted in exceptional

circumstances." *Bud Brooks Trucking, Inc. v. Bill Hodges Trucking Co.*, 909 F.2d 1437, 1440 (10th Cir. 1990). Plaintiff offers no ground to support relief from the judgment; instead, he argues only broadly that he has followed all filing restrictions to the best of his ability, that the Court may reopen this matter under Rule 60(b)¹, and that his filing is made in good faith. The Court finds no adequate ground for relief and denies the motion.

IT IS, THEREFOR, BY THE COURT ORDERED plaintiff's combined motion for leave to file complaint and motion for relief from judgment (Doc. #17) is denied.

IT IS SO ORDERED.

DATED: This 22nd day of September, 2017, at Topeka, Kansas.

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

¹ In *Adkins v. Crow*, Case No. 12-4091, Judge Thomas Marten of this Court imposed filing restrictions on future filings by the plaintiff. See Doc. #17 pp. 41-43. While that order allows plaintiff to file a motion under Fed.R.Civ.P. 60(b), this Court reads that portion of the order to allow plaintiff to file such a motion in Case No. 12-4091. The Court therefore cautions plaintiff that additional filings in this matter must comply with the provisions entered in *Adkins v. Crow* and may be summarily addressed by the Court.