

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

STEVEN A. GILLMAN,

Petitioner,

v.

CASE NO. 11-3228-RDR

WARDEN C. MAYE,

Respondent.

ORDER

This petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 was dismissed as moot by Order entered on August 16, 2012. After the Order of Dismissal and Judgment were entered, the clerk received and docketed a Motion for Order apparently submitted by petitioner before he received notice of the dismissal. Respondent has filed a Response to this motion. The court denies petitioner's motion as moot.¹ The request for court action included by respondent in his response is not in proper motion form, but if it were it would likewise be denied as moot.

IT IS THEREFORE BY THE COURT ORDERED that petitioner's Motion for Order and Extension of Time (Doc. 21) is denied.

IT IS SO ORDERED.

¹ Petitioner suggests in his motion that "if the court rules in his favor" he will file a motion for costs. No such motion is before the court and, in any event, petitioner refers to no authority that would entitle him to receive costs in a pro se habeas corpus action.

DATED: This 13th day of September, 2012, at Topeka, Kansas.

s/RICHARD D. ROGERS
United States District Judge