

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

EBRAHIM ADKINS,

Petitioner,

v.

CASE NO. 12-3076-SAC

RICHARD ROGERS,

Respondent.

EBRAHIM ADKINS,

Petitioner,

v.

CASE NO. 12-3080-SAC

RICHARD ROGERS,

Respondent.

O R D E R

In each of the cases captioned above, petitioner submitted a pro se document titled "Writ Of Mandamus," and a motion for leave to proceed in forma pauperis under 28 U.S.C. § 1915 without prepayment of the district court filing fee. The same federal district court judge is named in each action as the sole respondent. It appears, however, that petitioner seeks relief concerning final judgments entered by various federal court judges in petitioner's previously filed cases and appeals, and that petitioner is broadly claiming these judges abused their discretion in deciding petitioner's cases and appeals because the final judgments were contrary to federal law.

To the extent petitioner is seeking mandamus relief in this court on such allegations,¹ each petition is dismissed as frivolous,

¹Petitioner's pro se pleadings are not clear enough to discount the possibility that the petitions captioned herein may have been

repetitive, and abusive. This court clearly lacks jurisdiction to review final judgments entered in petitioner's previous cases, and lacks any mandamus authority over a federal district court judge. Petitioner's applications to this court for mandamus relief thus lack any arguable basis in fact or in law, and appear to be improper attempts to relitigate claims asserted in previously filed actions and/or appeals.

Accordingly, to the extent petitioner seeks mandamus relief in this court pursuant to 28 U.S.C. § 1361, the court grants petitioner's motions for leave to proceed in forma pauperis² for the limited purpose of dismissing the petitions as frivolous and malicious. 28 U.S.C. § 1915(e)(2)(B)(i). *See also Ruston v. Church of Jesus Christ of Latter-Day Saints*, 304 Fed.Appx. 666 (10th Cir.2008)(directive in § 1915(e)(2)(B) to dismiss frivolous or malicious actions brought by in forma pauperis litigants applies to prisoners and nonprisoners alike)(citing cases)(unpublished). The court further certifies pursuant to 28 U.S.C. § 1915(a)(3) and Fed.R.App.P. 24(a)(3), that any appeal taken from the final order and judgment entered herein in either captioned case would not be taken in good faith.

IT IS THEREFORE ORDERED that in each of the cases captioned herein, petitioner's motion for leave to proceed in forma pauperis is granted, and the petition is dismissed as frivolous and

intended as copies to respondent of actions petitioner intended or attempted to file in another court.

²Petitioner is no longer a prisoner, and thus is not subject to the filing fee provisions imposed by the Prison Litigation Reform Act.

malicious.

IT IS SO ORDERED.

DATED: This 17th day of April 2012 at Topeka, Kansas.

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