

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

ANTHONY RAY JENKINS,

Plaintiff,

v.

SEDGWICK COUNTY KANSAS, et al.,

Defendants.

Case No. 15-4869-DDC-KGG

MEMORANDUM AND ORDER

This matter comes before the court on plaintiff's pro se¹ "Motion for Order to pay \$2700 per day for jail time" (Doc. 23). Plaintiff first filed a Complaint in this case on April 15, 2015. And, on that same day, he filed a Motion of Leave to Proceed in forma pauperis. On April 24, 2015, Magistrate Judge Kenneth G. Gale granted plaintiff leave to proceed in forma pauperis and issued a Report and Recommendations (Doc. 6) that recommended dismissing plaintiff's Complaint under 28 U.S.C. § 1915(e)(2) for failing to state a claim. On May 22, 2015, Judge Richard D. Rogers adopted Judge Gale's Report and Recommendations and dismissed plaintiff's Complaint. Doc. 9. On June 1, 2015, plaintiff appealed Judge Rogers's order dismissing his Complaint (Doc. 14). And, then, he moved to dismiss his appeal on June 15, 2015. The Tenth Circuit granted plaintiff's motion and dismissed his appeal on June 25, 2015. Doc. 22.

Now, more than two years later, plaintiff seeks an order awarding him \$2700 per day for time he spent in Sedgwick County Jail. Doc. 23. This is the same relief plaintiff requested in his

¹ The court must construe the filings of a pro se party liberally. *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). But, the court is not an advocate and should not supply additional facts or construct a legal theory to aid a party proceeding pro se. *Whitney v. New Mexico*, 113 F.3d 1170, 1173–74 (10th Cir. 1997). The court is "not obligated to comb the record in order to make [the party's] arguments for [him]." *Mitchell v. City of Moore, Okla.*, 218 F.3d 1190, 1199 (10th Cir. 2000).

Complaint. Doc. 1 at 6. But, the court already has dismissed his Complaint. So, plaintiff presently has no viable claim capable of supporting his request for relief. Plaintiff also provides no reason or authority allowing the court to grant the relief his motion seeks—that is, monetary damages for time he spent in jail. The court thus denies plaintiff’s motion.

This case is closed. Plaintiff must refrain from filing additional documents in this case.

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiff’s “Motion for Order to pay \$2700 per day for jail time” (Doc. 23) is denied.

IT IS SO ORDERED.

Dated this 9th day of November, 2017, at Topeka, Kansas

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge