

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

JAMES R. DUDLEY,

Petitioner,

v.

CASE NO. 17-3006-SAC

STATE OF KANSAS,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed by a prisoner in state custody. It comes before the Court on a limited remand for the purpose of determining whether the petitioner gave notice to the Kansas Department of Corrections (KDOC) of his motion to extend the time to file a notice of appeal, as required by Fed. R. App. P. 4(a)(5).

The Court directed petitioner to provide the Court with a copy of his inmate request, which he states will show that he notified the KDOC. Petitioner submitted the notice as directed (Doc. #19, p.3).¹ The notice shows that on March 29, 2017, petitioner asked a member of his Unit Team to transmit a copy of the motion to the KDOC attorney. Having considered the notice, the Court finds that petitioner has shown that he provided the KDOC with notice of his motion for extension.

The Clerk of the Court shall transmit a copy of this order to the Clerk of the U.S. Court of Appeals for the Tenth Circuit.

¹ A copy of the inmate request form is attached.

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