

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

GROVER D. JAMES,

Petitioner,

v.

CASE NO. 24-3176-JWL

DON LANGFORD

Respondent.

MEMORANDUM AND ORDER

This matter is a pro se petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 on October 7, 2024. (Doc. 1.) The operative amended petition (Doc. 9) was filed on November 25, 2024 and, on December 2, 2024, the Court issued an order dismissing Ground One and the portion of Ground Three that is based on Petitioner's rights under state statutes. (Doc. 10). In that same order, the Court ordered Respondent to file an answer showing why the writ should not be granted based on the remaining asserted grounds for relief. *Id.* The current due date for the answer is April 4, 2025 and Petitioner's traverse is due on or before May 5, 2025. (Doc. 12.) This matter comes now before the Court on Petitioner's motion to stay this matter. (Doc. 13.)

The motion asks this Court's "leave to proceed[b]ack to the district court pursuant [to] K.S.A. 22-3054 [for] correction of a[n] illegal sentence." *Id.* at 1. Petitioner then reiterates his desire to stay this federal habeas matter while he "proceeds back to the district court on a motion to correct an illegal sentence pursuant to K.S.A. 22-3504." *Id.* at 1-2. The motion provides no further information.

The motion will be denied. Petitioner does not explain to this Court why his proceeding in state court on a motion to correct illegal sentence justifies staying this federal habeas matter. He

does not allege that the motion to correct illegal sentence involves any issue remaining in this federal habeas matter, and the Court notes that it appears all remaining grounds in this federal habeas matter have been exhausted in the state courts. Petitioner does not identify the issue or issues he intends to raise in the motion to correct illegal sentence, nor does he connect any issue in the motion to correct illegal sentence to the issues in this federal habeas matter. Petitioner has not shown good cause for staying this matter.

IT IS THEREFORE ORDERED that the motion to stay (Doc. 13) is **denied**. The answer and traverse deadlines remain in effect.

IT IS SO ORDERED.

DATED: This 5th day of March, 2025, at Kansas City, Kansas.

S/ John W. Lungstrum
JOHN W. LUNGSTRUM
United States District Judge