

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

RONALD BAKER, DAVID E. BENTON)
SR., RICHARD L. COCHRAN, MICHAEL)
P. GALLAGHER, HARVEY HICKMAN,)
BILLY INGRAM, EDWARD C.)
JOHNSON, ROBERT H. KINZER, ALAN)
KIRK, MICHAEL D. MELLON, JUSTIN)
MILLER, ROY NALLEY, DALE)
PATTERSON, ERIC PATTERSON,)
RAMON CRUZ PEREZ, JAMES E.)
ROBERTS JR., BILLY J. STANLEY,)
DANNY STANLEY, DAVID THAYER,)
MICHAEL UNRUH, WILLIAM EUGENE)
WALD, VANCE WALTERS, TRAVIS)
WILLIAMS, AND LARRY WRIGHT,)
on behalf of themselves and all others)
similarly situated,)

Plaintiffs,)

v.)

TIM KECK, Interim Secretary of Kansas)
Department for Aging and Disability)
Services, and MIKE DIXON, Clinical)
Program Director of the Kansas Sexual)
Predator Treatment Program,)

Defendants.)

Case No.: 6:14-cv-1356-JTM-KGG

ORDER

NOW BEFORE THE COURT are[65] the Motion to Join Complaint filed by non-party movant Randall Ritchie, [66] the Motion to Separate filed by non-party movant Steve Islam, and [67] Plaintiff David Thayer’s Motion to Separate from the Plaintiffs, Court-appointed counsel, and the Amended Complaint filed by counsel.

The Court hereby **GRANTS** [67] Plaintiff David Thayer's Motion to Separate from the Plaintiffs, Court-appointed counsel, and the Amended Complaint filed by counsel. Plaintiff shall now represent himself *pro se* and the original Complaint [1] shall be active as to him. The case will proceed as if there were two separate cases filed (with separate Complaints) that were subsequently consolidated.

The Court **DENIES** [65] Motion to Join Complaint filed by non-party movant Randall Ritchie.¹ Mr. Ritchie is not a named party in this case. As such, his motion is improper. The Court notes, however, that Mr. Ritchie may be allowed to opt-in to this case (and join Mr. Thayer's Complaint, if certified as a class action) at a later time after an appropriate notice.

The Court further **DENIES** [66] Motion to Separate filed by non-party movant Steve Islam. Because Mr. Islam is currently not a party to either Complaint in this case, he cannot be "separated" from the other Plaintiffs, the Amended Complaint or Court-appointed counsel. Mr. Islam's motion is, therefore, **DENIED**. The Court notes, however, that Mr. Islam may be allowed to opt-in to this case (and join Mr. Thayer's Complaint, if certified as a class action) at a later time after an appropriate notice.

¹ The Court notes that although Mr. Ritchie's signature is on the original cover sheet for this case, he was not a party to the original Complaint. (See 10/28/14 text entry.)

IT IS SO ORDERED.

Dated at Wichita, Kansas, on this 30th day of January, 2017.

S/ KENNETH G. GALE
KENNETH G. GALE
United States Magistrate Judge