

The trial court granted summary judgment in favor of Prewitt's brother and sister-in-law, and it denied Prewitt's subsequent motions to set aside the order and vacate the grant of summary judgment. [*Id.* at 5]. Prewitt appealed, but the Kentucky Court of Appeals affirmed the trial court's order. [*Id.* at 9]. Then, in September 2018, the Kentucky Supreme Court entered an order denying Prewitt's motion for discretionary review. [*Id.* at 2].

In an apparent response to the Kentucky Supreme Court's decision, Prewitt filed a document with this Court titled "Notice of Petition; and Verified Petition For Warrant of Removal." [R. 1]. In Prewitt's submission, he cites numerous federal statutes, including but not limited to 28 U.S.C. § 1446. That statute, however, lays out the procedure *defendants* may use to remove an ongoing civil action from state court to federal court. Here, Michael Prewitt was the *plaintiff* in state court and, in any event, the state courts fully resolved his claims. While Prewitt obviously disagrees with the result reached, he has not identified any legal authority that would allow him to collaterally challenge the state courts' decisions by filing a new action in this court. Simply put, Prewitt's submission is procedurally improper and, thus, unavailing.

Accordingly, it is **ORDERED** as follows:

1. Prewitt's Motion for Leave to Proceed *in Forma Pauperis* [R. 2] is **GRANTED**.
Payment of the filing and administrative fees in this case is **WAIVED**.
2. Prewitt's claims [R. 1] are **DISMISSED**, and this action is **STRICKEN** from the Court's docket.
3. A corresponding Judgment will be entered this date.

This 7th day of November, 2018.



Gregory P. Van Blaten
United States District J