

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 09-0349-CV-W-HFS
)	
KENNETH L. RICHEY, et al.,)	
)	
Defendants.)	

ORDER

Defendant Richey, a federal prisoner, has pending a motion to dismiss this case (Doc. 7). It was brought by the United States to invalidate certain alleged liens against federal employees and to enjoin Richey from further filings. Richey has caused the filings to be expunged by the Missouri Secretary of State and has disclaimed any intention to pursue such liens. Docs. 18, 25. Accordingly, the motion to dismiss will be denied as moot.

The Government seeks summary judgment enjoining Richey from making such further filings. Although his disclaimer arguably is sufficient, the possibility of resumption of the misconduct in question cannot be entirely disregarded.

Accordingly, it is hereby

ORDERED that defendant’s Richey’s motion to dismiss (Doc. 7) is DENIED as moot. It is further

ORDERED that plaintiff’s motion for summary judgment (Doc. 26) is GRANTED. It is further

ORDERED that defendant Richey is enjoined from filing future Uniform Commercial Code

financing statements or alleged liens against federal employees or officials without leave of court.

It is further

ORDERED that the complaint against the Missouri Secretary of State is DISMISSED as moot.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

March 26, 2010

Kansas City, Missouri