

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 18-03076-CV-S-MDH
)	
BOBBY HAMMOND,)	
)	
Defendant.)	

ORDER

Defendant has filed a Motion requesting his release from custody. (Doc 62.) In his motion, Defendant asks this Court to “Please Release me.” *Id.* This action has been referred to the undersigned for processing and handling. Upon review, the motion will be denied without prejudice as unauthorized by law.

By law, Defendant is not authorized to personally file a motion to determine whether he should be released. *See United States v. O’Laughlin*, 934 F.3d 840, 841 (8th Cir. 2019) (Section 4247(h) requires that “motions for release from civil commitment be filed by an attorney or legal guardian for the committed person”) *cert. denied*, 140 S.Ct. 2535 (Mar. 23, 2020). Here, the motion is signed by Defendant only, and not filed by his attorney or legal guardian.

Accordingly, Defendant’s *pro se* Motion seeking release (doc. 62) is **DENIED** without prejudice as unauthorized by law. The Clerk’s Office is directed to send a copy of this Order to Defendant via regular mail.

/s/ David P. Rush

DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: January 5, 2021