

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KIRK D. ROBINSON,

Plaintiff,

vs.

TIM MILLER, Case Manager, Programming  
Director; MESSNER, Case Manager;  
OLIMI, Member of Parole Board; and  
GISSLER, Member of Parole Board;

Defendants.

**8:24CV242**

**ORDER**

This matter is before the Court on the Court's own motion. On November 15, 2023, Plaintiff Kirk D. Robinson named the undersigned as a defendant in his amended complaint in Case No. 8:23CV452, [Filing No. 6](#), and the undersigned has recused himself in that matter pursuant to [28 U.S.C. § 455\(b\)\(5\)](#), which provides that any judge of the United States "shall . . . disqualify himself . . . [where] [h]e . . . [i]s a party to the proceeding . . . ." [Filing No. 8](#), Case No. 8:23CV452. Robinson also filed essentially identical "Motion[s] for a Change of Venue" in several of his cases<sup>1</sup> alleging that he cannot get a fair and unbiased hearing in this Court based, in part, on his pending action against the undersigned. Under these circumstances and because his impartiality might reasonably be questioned, the undersigned shall, and hereby does, recuse himself from the above-designated case pursuant to [28 U.S.C. § 455\(a\)](#).

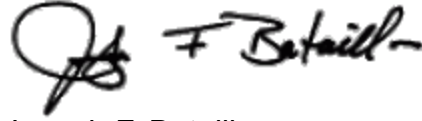
SO ORDERED.

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<sup>1</sup> See [Filing No. 41](#), Case No. 8:22CV151; [Filing No. 19](#), Case No. 8:22CV398; [Filing No. 25](#), Case No. 8:23CV137; [Filing No. 10](#), Case No. 8:23CV418; [Filing No. 10](#), Case No. 8:23CV451; [Filing No. 7](#), Case No. 8:23CV452; [Filing No. 6](#), Case No. 8:23CV486.

Dated this 3rd day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long horizontal stroke extending to the right.

Joseph F. Bataillon  
Senior United States District Judge