

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Jason A. Fulton v. Stephanie Smith, et al.

Fulton · No. 26-3039-JWL · Decided May 5, 2026

SUMMARY

The United States District Court for the District of Kansas directs a pro se plaintiff to show cause why his § 1983 action concerning a disputed state-court docket entry should not be dismissed. The court explains that the requested preservation and record-investigation relief may be moot, may constitute mandamus relief against state officials, and may be subject to Younger abstention. The order grants the plaintiff until June 5, 2026, to respond.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Lungstrum
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 5, 2026
DOCKET	26-3039-JWL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se § 1983 action seeking declaratory and injunctive relief concerning the preservation and auditability of records in his Kansas criminal case. After directing Kansas Attorney General's Office officials to submit a Martinez report, the court granted Plaintiff an opportunity to show cause why the action should not be dismissed based on mootness, the prohibition on federal mandamus directed to state officials, and Younger abstention.
PRECEDENTIAL VALUE	Unknown; memorandum and order of a federal district court

TOPICS

- section 1983
- prisoners rights
- injunctions
- sovereign immunity
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner litigation
- federal courts
- constitutional law

QUESTIONS PRESENTED

1. Whether Plaintiff's request for prohibitory preservation relief is moot because the relevant data has been preserved and is not at risk of deletion, purging, or overwriting.
2. Whether Plaintiff's requested injunctive relief is in the nature of mandamus directed at state officers.
3. Whether Younger abstention requires dismissal of any remaining claims because Plaintiff is pursuing the same relief in ongoing state proceedings.

HOLDINGS

1. Federal courts have no authority to issue a writ of mandamus directing state courts or their judicial officers in the performance of their duties.
2. The Ex parte Young exception to sovereign immunity does not eliminate the need to determine whether Younger abstention bars federal injunctive or declaratory relief interfering with ongoing state criminal proceedings.

KEY QUOTATIONS

“federal courts “have no authority to issue such a writ [of mandamus] to direct state courts or their judicial officers in the performance of their duties.”” (at 2)

“Although the Supreme Court has carved out an exception to state sovereign immunity for suits seeking prospective injunctive relief from state officials, Ex Parte Young, . . . the Supreme Court in Younger v. Harris, . . . narrowly proscribed federal injunctions and declaratory relief that interfere with ongoing state criminal proceedings.” (at 2)

FACTUAL BACKGROUND

Plaintiff, incarcerated at Lansing Correctional Facility, challenged the appearance and provenance of a back-dated September 22, 1998 minutes entry in the certified Register of Actions for his Kansas criminal case. He sought preservation of the record and related audit or system data, along with production of metadata concerning when and how the entry appeared, while stating that he did not seek to invalidate the state-court judgment or intervene in the underlying criminal proceedings. The Martinez report stated that the disputed entry and associated data had been preserved, were not subject to routine deletion or overwriting, and resulted from a trial clerk's November 26, 2024 imaging of a September 22, 1998 judge's minutes document found in the paper case file.

PROCEDURAL HISTORY

Plaintiff filed this federal action on February 27, 2026. The court previously ordered him to show cause why the action should not be dismissed under Younger, then directed Kansas Attorney General's Office officials to prepare a Martinez report addressing whether Plaintiff could obtain the requested relief in state court, whether the requested relief was mandamus in nature, and whether relevant data was at risk of destruction. After receiving the report, the court ordered Plaintiff to respond by June 5, 2026, and warned that failure to respond could result in dismissal without further notice.

DISPOSITION

other

CASES CITED

- Younger v. Harris, 401 U.S. 37 (1971)
- Ex parte Young, 209 U.S. 123 (1908)
- Joseph A. ex rel. Corrine Wolfe v. Ingram, 275 F.3d 1253, 1265 (10th Cir. 2002)
- Hunter v. Kansas, 2008 WL 2397559, at *2 (D. Kan. 2008)
- Knox v. Bland, 632 F.3d 1290, 1292 (10th Cir. 2011)
- VanSickle v. Holloway, 791 F.2d 1431, 1436 n.5 (10th Cir. 1986)
- Martinez v. Aaron, 570 F.2d 317 (10th Cir. 1978)
- Hall v. Bellmon, 935 F.2d 1106 (10th Cir. 1991)
- Apodaca v. N.M. Adult Prob. & Parole, 2015 WL 13662874, at 2 n.5 (D.N.M. 2015), report and recommendation adopted by 2015 WL 1918153 (D.N.M. 2015)