

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

Kaleb Lee Basey v. Kyle Frederick Reardon, in his official capacity,
et al.

Basey v. Reardon · No. 3:23-cv-00124-SLG · Decided April 27, 2026

SUMMARY

The United States District Court for the District of Alaska denied Kaleb Lee Basey’s motion under Federal Rule of Civil Procedure 60(b) to vacate the judgment dismissing his action as frivolous. The court held that any concerns regarding former Judge Kindred’s alleged partiality were addressed by the Ninth Circuit’s intervening de novo review, which affirmed the dismissal.

CASE DETAILS

COURT	United States District Court for the District of Alaska
WRITING FOR THE COURT	Sharon L. Gleason
JURISDICTION	United States District Court for the District of Alaska
DECIDED	April 27, 2026
DOCKET	3:23-cv-00124-SLG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b) to vacate the final judgment dismissing his action as frivolous. The district court denied the motion.
STANDARD OF REVIEW	De novo review by the Ninth Circuit independently addressed any potential partiality arising from the district court proceedings.
PRECEDENTIAL VALUE	District court order; precedential status not stated in the source.

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QUESTIONS PRESENTED

1. Whether alleged judicial misconduct and an appearance of partiality constituted extraordinary circumstances warranting relief from the final judgment under Federal Rule of Civil Procedure 60(b).
2. Whether the Ninth Circuit's intervening de novo review resolved any potential partiality concerns arising from the district court proceedings.

HOLDINGS

1. Relief from judgment was not warranted because Basey identified no ruling affected by the alleged misconduct that escaped meaningful appellate scrutiny and did not contend that the appellate process was compromised.

KEY QUOTATIONS

"De novo review means that the reviewing court 'do[es] not defer to the lower court's ruling but freely consider[s] the matter anew, as if no decision had been rendered below.'" (Docket 22)

"Given the Ninth Circuit's intervening independent review of the judgment, the Motion to Vacate Judgment at Docket 24 is DENIED." (Docket 24)

FACTUAL BACKGROUND

Basey sued several defendants, including the U.S. Attorney's Office for the District of Alaska, asserting due process claims. The district court dismissed the action as frivolous, and the Ninth Circuit affirmed after de novo review, holding that Basey had not alleged facts sufficient to state a cognizable claim. Basey subsequently sought relief from judgment based on alleged misconduct by former Judge Kindred involving members of the U.S. Attorney's Office.

PROCEDURAL HISTORY

Basey initiated the action on June 8, 2023. The district court dismissed his claims after screening on November 28, 2023, denied his motion for reconsideration, and entered final judgment on February 2, 2024. After Basey appealed, the Ninth Circuit conducted de novo review and affirmed. Basey later moved to vacate the judgment based on alleged judicial misconduct and an appearance of partiality; the district court denied the motion.

DISPOSITION

other

CASES CITED

- Dawson v. Marshall, 561 F.3d 930, 933 (9th Cir. 2009)
- United States v. Silverman, 861 F.2d 571, 576 (9th Cir. 1988)