

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Akosua Aaebo-Akhan v. Sarah Connell, et al.

Aaebo-Akhan · No. 25-2502-JWB · Decided January 28, 2026

SUMMARY

The United States District Court for the District of Kansas denied Plaintiff Akosua Aaebo-Akhan's request for reconsideration of an order upholding the denial of her motion for exemption from PACER fees. The court concluded that Plaintiff's arguments were waived because they were not presented to the magistrate judge initially and found no basis to reconsider its prior decision; it also declined to construe the filing as a notice of appeal.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS AKOSUA AAEBO-AKHAN, Plaintiff, v. Case No. 25-2502-JWB SARAH CONNELL, et al., Defendants. MEMORANDUM AND ORDER This matter is before the court on Plaintiff's request for reconsideration. (Doc. 19.)

On January 15, 2026, this court entered an order overruling Plaintiff's objection to Magistrate Judge Angel Mitchell's order denying a motion for an exemption from Pacer fees. (Doc. 18.) The court held that Plaintiff's arguments raised in her objection were not presented to Magistrate Judge Mitchell and, therefore, waived.

The court further held that Plaintiff failed to show clear error in the decision. Plaintiff filed a document titled "Request for Reconsideration & Notice of Appeal."¹ (Doc. 19.) Plaintiff's request for reconsideration asserts that she has been prejudiced by the decision to deny her request to be exempt from Pacer fees because she does not have a copy of any pleadings she drafted or orders filed prior to November 19, 2025 due to actions by a third party.

(Id. at 1.) This document appears to be identical to the objection that was ruled on by the court. (Compare Docs. 17 and 19.) As previously noted by this court, Plaintiff's argument in her objection was not raised in her original motion for exemption of fees. Rather, Plaintiff merely asked to be exempt ¹ Although Plaintiff states that this motion is also an appeal, Plaintiff did not indicate that she was appealing to the Tenth Circuit Court of Appeals.

Further, the order which she seeks reconsideration of is not a final appealable order. Therefore, the court does not construe the motion for reconsideration as a notice of appeal to the court of appeals. from paying Pacer fees and stated that she could not carry physical documents because she is homeless.

In her objection and request for reconsideration, Plaintiff asks this court to find that decision was erroneous due to arguments that were never raised at the outset. As the Tenth Circuit has previously held, “[i]ssues raised for the first time in objections to the magistrate judge's recommendation are deemed waived.” *Marshall v. Chater*, 75 F.3d 1421, 1426 (10th Cir.

1996). Therefore, this court’s decision upholding the ruling was not erroneous. Plaintiff offers no basis for this court to reconsider its decision. Plaintiff’s request for reconsideration is denied. IT IS SO ORDERED. Dated this 28th day of January, 2026. ____s/ John W. Broomes _____ JOHN W. BROOMES CHIEF UNITED STATES DISTRICT JUDGE