

19 In contrast, as a practical matter, it appears that plaintiff probably would suffer little, if any, prejudice if the individual defendants were dismissed.

Fn 19, Magistrate O'Hara's Report and Recommendation pg. 10

Stated more directly, the court is deeply troubled by Mr. Landrith's apparent incompetence. The pleadings he has filed (see, e.g., docs. 1, 13, 23, 35, 37, & 42), and his non-responsive, rambling, ill-informed legal arguments during the pretrial conference, suggest that he is not conversant with even the most basic aspects of the Federal Rules of Civil Procedure. The court doubts that Mr. Landrith has any better grasp of the substantive law that applies to this case. Based on what transpired at the pretrial conference, plaintiff appears more articulate than Mr. Landrith. Plaintiff may be better served by representing himself without any attorney if indeed Mr. Landrith is the only attorney willing to take the case.

Magistrate O'Hara's Report and Recommendation pg. 12

The Clerk's Office shall serve copies of this report and recommendation on all counsel of record, and shall also send a copy via certified mail, return receipt requested, to the plaintiff, Mr. James L. Bolden, at 4218 S.E. Ridgeview Terrace, Topeka, Kansas 66609.

Magistrate O'Hara's Report and Recommendation pg. 13