

Wyoming District Court Rulings

Order Dismissing Case February 07, 2019

Order Denying Defendant's May 2019 Motion September 26, 2019

Index of Entire Docket May 13, 2020

IN THE DISTRICT COURT FOR THE FIRST JUDICIAL DISTRICT
STATE OF WYOMING, COUNTY OF LARAMIE
DOCKET NO. 188 - 643

FANE R. SELLERS,)
STEVEN BABCOCK)
FOR AND IN BEHALF OF)
ALL INMATES)
Petitioners,)
v.)
THE STATE OF WYOMING,)
GOVERNOR MATT MEADE,)
ATTORNEY GENERAL FOR THE STATE OF)
WYOMING, PETER K. MICHAEL, AND)
ALL ENTITIES ACTING FOR THE)
STATE OF WYOMING)
Respondents.)

FILED

FEB 07 2019

DIANE SANCHEZ
CLERK OF THE DISTRICT COURT

ORDER DISMISSING CASE

THIS MATTER having come before the Court *sua sponte*, the Court FINDS that no substantial and bona fide action of record towards disposition has been taken for 90 days. Rule 203(c) U.R.D.C.

IT IS HEREBY ORDERED that the above entitled case is dismissed, without prejudice for the reason that the case has been on file for more than ninety days with no action.

DATED this 4 day of February, 2019.

Clerk of District Court certifies copies were distributed on Feb 7, 2019 to:

THOMAS CAMPBELL
DISTRICT JUDGE

cc: Fane R. Sellers #25665 - m
Wyoming Honor Conservation Camp
P.O. Box 160
Newcastle, WY 82701

Steven Babcock #27869 - m
Wyoming Honor Conservation Camp
P.O. Box 160
Newcastle, WY 82701

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2020

**FANE R. SELLERS and STEVEN
BABCOCK, for and in behalf of all
inmates,**

**Appellants
(Petitioners),**

v.
**THE STATE OF WYOMING;
GOVERNOR MATTHEW MEAD;
ATTORNEY GENERAL FOR THE
STATE OF WYOMING, PETER K.
MICHAEL; and all entities acting for
the State of Wyoming,**

**Appellees
(Respondents).**

**IN THE SUPREME COURT
STATE OF WYOMING**

S-20-0109


PATRICIA BENNETT, CLERK
by DEPUTY

ORDER DENYING PETITION TO REINSTATE APPEAL

This matter came before the Court upon the *pro se* Appellants' "Motion for Hearing," filed herein June 22, 2020. The Court has treated the pleading as a petition for reinstatement of appeal, in accord with W.R.A.P. 15. The Court, having carefully reviewed the petition and the file, finds that the petition should be denied. It is, therefore,

ORDERED that Appellants' petition to reinstate appeal, be, and hereby is, denied. This case is closed.

DATED this 30th day of June, 2020.

BY THE COURT:*


MICHAEL K. DAVIS
Chief Justice

*Justice Gray took no part in the consideration of this matter.

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2020

**FANE R. SELLERS and STEVEN
BABCOCK, for and in behalf of all
inmates,**

**Appellants
(Petitioners),**

v.

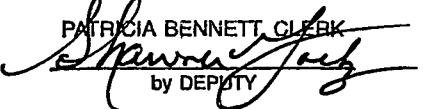
**THE STATE OF WYOMING;
GOVERNOR MATTHEW MEAD;
ATTORNEY GENERAL FOR THE
STATE OF WYOMING, PETER K.
MICHAEL; and all entities acting for
the State of Wyoming,**

**Appellees
(Respondents).**

**IN THE SUPREME COURT
STATE OF WYOMING
FILED**

S-20-0109

JUN 02 2020


PATRICIA BENNETT, CLERK
by DEPUTY

ORDER DISMISSING APPEAL

This matter came before the Court upon its own motion following a review of recently docketed appeals. The Court, having carefully reviewed the file, finds that Appellants' notice of appeal was untimely because Appellants did not file their notice of appeal within thirty days of the deemed denial of their post-judgment motion. W.R.A.P. 2.01; 2.02.

On February 7, 2019, the district court entered its "Order Dismissing Case." On February 25, 2019, Appellants filed a "Motion for Hearing and to Refile of Case No. 188-643 Due to Court Error in Not Following Court Rules and The Constitution of the State of Wyoming; In Conjunction with a Motion for Hearing and A Motion for Immediate Issue of Summons," along with a memorandum in support. Appellants cited several rules, including W.R.C.P. 60. This Court finds the February 25 post-judgment motion is arguably proper under W.R.C.P. 60(b) and/or W.R.C.P. 59(e). *Essex Holding, LLC v. Basic Properties, Inc.*, 2018 WY 111, ¶ 40, 427 P.3d 708, 721 (Wyo. 2018) ("[F]or the purpose of tolling the time to appeal a judgment or appealable order in a civil case, a post-judgment motion, however titled, is not a 'nullity' and shall be treated as a Rule 59(e) motion if it challenges the merits of the judgment and is filed no later than 28 days after the entry of the judgment."). To the extent the post-judgment motion sought relief under W.R.C.P. 59(e), the motion tolled the time for filing a notice of appeal from the "Order Dismissing Case," pursuant to W.R.A.P. 2.02(a). Also, to the extent the post-judgment motion sought relief under W.R.C.P. 60(b), the denial of the motion would be appealable. *Essex*, ¶ 69, 427 P.3d at 728.

IN THE DISTRICT COURT FOR THE FIRST JUDICIAL DISTRICT
STATE OF WYOMING, COUNTY OF LARAMIE
DOCKET NO. 188 - 643

FANE R. SELLERS,)
STEVEN BABCOCK)
FOR AN IN BEHALF OF)
ALL INMATES,)
Petitioners,)
v.)
THE STATE OF WYOMING,)
GOVERNOR MATT MEADE,)
ATTORNEY GENERAL FOR THE STATE OF)
WYOMING, PETER K. MICHAEL, AND)
ALL ENTITIES ACTING FOR THE)
STATE OF WYOMING,)
Respondents.)

FILED

SEP 26 2019

DIANE SANCHEZ
CLERK OF THE DISTRICT COURT

ORDER DENYING DEFENDANT'S MAY 2019 MOTION

THE ABOVE-ENTITLED MATTER came before this Court on Plaintiff's
*Motion for Hearing and to Refile of Case No. 188-643 Due to Court Error in Not Following
Court Rules and the Constitution of the State of Wyoming; in Conjunction with a Motion
for Hearing and a Motion for Immediate Issue of Summons* and the Court having reviewed
the matter finding Petitioner's *Motion* was not properly served on any of the parties
pursuant to the Wyoming Rules of Civil Procedure (W.R.C.P.) and being otherwise well
advised in the premises:

IT IS HEREBY ORDERED that the Petitioner's must be and is hereby **DENIED** without prejudice.

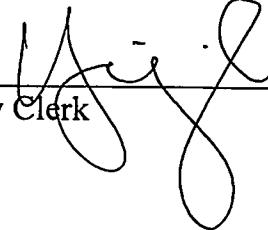
DATED this 26 day of September, 2019.


THOMAS T.C. CAMPBELL
DISTRICT JUDGE

cc: Fane R. Sellers # 25665 - m
Wyoming Honor Conservation Camp
P.O. Box 160
Newcastle, WY 82701

Steven Babcock #27869 - m
Wyoming Honor Conservation Camp
P.O. Box 160
Newcastle, WY 82701

I hereby certify that I distributed a true and correct copy of the foregoing this 26 day of September, 2019, as indicated. [M-mail; B-box in Clerk's Office, H-hand delivery; F-facsimile transmission.]


Deputy Clerk

STATE OF WYOMING COUNTY OF LARAMIE, SS: CHEYENNE

I, Diane Sanchez, Clerk of the District Court in and for the County of Laramie, Wyoming, do hereby certify that the within and foregoing is a full true and correct copy of the original thereof as the same appears on file or of record in my office and that the same is in full force and effect as of this date.

Witness my hand and seal of said court this 26 day of Sept, 2019.

DIANE SANCHEZ

Clerk of District Court

By 

Deputy

**IN THE DISTRICT COURT FOR THE FIRST JUDICIAL DISTRICT
WITHIN AND FOR THE COUNTY OF LARAMIE COUNTY**

**FANE R. SELLERS, STEVEN BABCOCK, FOR AND IN BEHALF
OF ALL INMATES,
PLAINTIFFS**

V.

**THE STATE OF WYOMING, GOVERNOR MATT MEAD, ATTORNEY GENERAL FOR THE
STATE OF WYOMING, PETER K. MICHAEL AND ALL ENTITIES FOR THE STATE OF
WYOMING
DEFENDANTS**

INDEX OF ENTIRE DOCKET – MAY 13, 2020

Docket 188, No. 643

Document Name

Cover Page	1
Title Page	2
Copy of the Docket Entries.....	3-4
Class Action Petition for Redress in the Act of Breach of Contract by the State of Wyoming, The State of Wyoming, Governor Matt Meade, Attorney General and All Entities Acting for the State of Wyoming, Filed 10/03/2017	5-196
Civil Cover Sheet, Filed 10/03/2017	197
Inmate Glover's Affidavit for Redress in the Act of Breach of Contract by the State of Wyoming and All Entities Acting for the State of Wyoming, Filed 10/03/2017	198-219
Tombroek's Affidavit for Redress in the Act of Breach of Contract by the State of Wyoming And All Entities Acting for the State of Wyoming, Filed 10/03/2017	220-226
Objection, Filed 01/02/2018	227-230
Motion for Ruling on In Forma Pauperis, Filed 03/01/2018	231
Letter from Fane R. Sellers and Steven Babcock, Filed 03/05/2018.....	232-235
Letter from Fane R. Sellers and Steven Babcock, Filed 03/13/2018.....	236

Motion of Default Respondents Failed to Serve Answer to Class Action Petition for Redress In the Act of Breach of Contract Within the Sixty (60) Days, Filed 05/25/2018.....	237
Memorandum in Support of Motion of Default Respondents Failed to Serve Answer to Class Action Petition for Redress in the Act of Breach of Contract Within the Sixty (60) Days, Filed 05/25/2018.....	239-254
Copy of Certify Mail Receipts, Filed 06/11/2018	255
Demand for Payment and Fulfillment of Contract, Filed 06/20/2018	256-266
Certificate of Service, Filed 06/21/2018.....	267-269
Memorandum of Understanding and Answer to Office of the Attorney General Letter to the Court, Filed 06/21/2018	270-276
Letter to Honorable Thomas Campbell from Justin Daraie, Senior Assistant Attorney General, Filed 06/25/2018	277-279
Statements of Financial Obligation, Filed 09/27/2018	280
Invoice Number 100002, Filed 09/27/2018	281-283
Invoice Number 110002, Filed 09/27/2018.....	284-286
Invoice Number 200002, Filed 09/27/2018.....	287-289
Statements of Financial Obligation, Filed 12/27/2018	290
Invoice Number 200003, Filed 12/27/2018	291-293
Invoice Number 100003, Filed 12/27/2018	294-296
Invoice Number 110003, Filed 12/27/2018	297-299
Order Dismissing Case, Filed 02/07/2019	300-301
Motion for Hearing and to Refile of Case No. 188-643 Due to Court Error in not Following Court Rules and the Constitution of the State of Wyoming; in Conjunction with a Motion for Hearing and a Motion for Immediate Issue of Summons, Filed 02/25/2019.....	302-303
Memorandum to the Motion for Hearing and to Refile of Case No. 188-643 Due to Court Error in not Following Court Rules and the Constitution of the State of Wyoming; in Conjunction with a Motion for Hearing on Immediate Issue of Summons, Filed 02/25/2019 ..	304-308
Invoice Number 100004, Filed 03/25/2019	309-315

Invoice Number 110004, Filed 03/25/2019	316-319
Motion for the Mandamus for Specific Performance by State Officials, Filed 05/24/2019.....	320-322
Memorandum in Support of Motion for Mandamus Against State Officials for Specific Performance, Filed 05/24/2019.....	323-325
Bill No. 200005, Filed 06/18/2019	326-329
Additional Evidence, Filed 07/22/2019	330-336
Order Denying Defendant's May 2019 Motion, <u>Filed 09/26/2019</u>	337-338
Order Denying Defendant's Motion for Mandamus, Filed 09/26/2019	339-340
Notice of Appeal, Filed 10/11/2019.....	341-342
Letter to Fane R. Sellers #25665 from Diane Sanchez, Filed 10/18/2019	343
Letter to Fane R. Sellers from Patricia Bennett, Filed 02/19/2020.....	344-348
Letter to Fane R. Sellers from Patricia Bennett, Filed 03/17/2020.....	349
Letter to JoAnn Garcia from Office of the Attorney General, Filed 04/03/2020	350
Letter to JoAnn Garcia from Patricia Bennett, Filed 04/29/2020	351-354