

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN L. LOTTER,)	4:04CV3187
)	
Petitioner,)	
)	MEMORANDUM
v.)	AND ORDER
)	
ROBERT HOUSTON, Warden,)	
Tecumseh State Correctional Center,)	
)	
Respondent.)	
_____)	

Petitioner has filed a pro se “motion to compel the Department of Corrections to turn over all legal material in their possession and allow Petitioner to keep in cell through habeas corpus appeal” (filing [70](#)). The court will not consider this motion because Petitioner is represented by counsel.

“Once an attorney is appointed or retained, all further documents and other communications with the court must be submitted through the attorney, unless the court permits otherwise. Any further pro se documents or other communications submitted to the court may be (1) returned unfiled to the sending party or (2) forwarded to the sending party’s attorney.” [Nebraska General Rule 1.3\(i\)](#).

Accordingly,

IT IS ORDERED that:

1. Petitioner’s motion to compel (filing [70](#)) is denied without prejudice.

2. The clerk of the court shall not file any further pro se documents submitted by Petitioner in this case, but instead shall forward such documents to one of Petitioner's attorneys of record.
3. Pursuant to the court's previous order (filing [21](#)), the clerk of the court shall send a copy of this memorandum and order directly to Petitioner.

DATED this 15th day of November, 2010.

BY THE COURT:

Richard G. Kopf
United States District Judge