

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

TIMOTHY DOYLE YOUNG,

Plaintiff,

v.

CASE NO. 18-3021-SAC

DEPARTMENT OF JUSTICE and  
SARA REVELL,

Defendants.

MEMORANDUM AND ORDER

Plaintiff, Timothy Doyle Young, is a federal prisoner held at the U.S.P.-Max-ADX in Florence, Colorado. He brings a civil rights action alleging that defendants have violated his constitutional rights by falsifying grievance responses and transmitting fraudulent documents through the mail and by wire communications. Plaintiff presents a one page complaint and over 80 pages of exhibits.

Plaintiff is subject to the "three-strikes" provision of 28 U.S.C. § 1915(g). See *In re Timothy Doyle Young*, 382 Fed.Appx. 148, 2010 WL 2178514 (3d Cir. June 1, 2010) and *Young v. United States*, 2014 WL 2515586 (S.D. Ohio June 4, 2014) (listing qualifying strikes).

Accordingly, plaintiff may proceed in forma pauperis only if he shows a threat of imminent danger of serious physical injury. The Court has examined the complaint and exhibits and finds that showing has not been made. The materials submitted present a variety of unrelated claims, including access to notary services, allegations of staff misconduct, and complaints concerning medical care. While it appears plaintiff has chronic health conditions that require medical attention, it also appears that these conditions are addressed at the

facility, and there is no plausible claim that he is in immediate danger of serious physical injury. See, e.g., Doc. 1, p. 73 (grievance response dated February 27, 2017, explaining that annual medical procedure was pending scheduling and need for treatment would be evaluated following completion of the procedure); and p. 84 (grievance response dated November 28, 2017, explaining that based upon recent laboratory results and recommendation of physician, plaintiff would be monitored annually instead of the more frequent testing he sought). Because the complaint does not satisfy the standard plaintiff must meet to proceed in forma pauperis, the Court will direct him to pay the full filing fee.

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff is granted to and including March 1, 2018, to submit the \$400.00 filing fee. The failure to submit the fee by that time will result in the dismissal of this matter without prejudice and without additional prior notice.

**IT IS SO ORDERED.**

DATED: This 30th day of January, 2018, at Topeka, Kansas.

S/ Sam A. Crow  
SAM A. CROW  
U.S. Senior District Judge