

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**TIMOTHY DOYLE YOUNG,**

**Plaintiff,**

**v.**

**CASE NO. 18-3215-SAC**

**SARA REVELL and  
DEPARTMENT OF JUSTICE,**

**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 mail and wire fraud.

Plaintiff is subject to the "three-strikes" provision of 28 U.S.C. § 1915(g).<sup>1</sup> 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 exhibits submitted by the plaintiff primarily involve rejections of incoming mail (Doc. #1, pp. 4-18), requests to verify the sending of outgoing packages and mail (pp. 20-31), grievances concerning alleged failures to provide copies of

---

<sup>1</sup> The complaint also contains a one-sentence challenge to 28 U.S.C. § 1915(g), stating that the provision "is unconstitutional because of absolute poverty and because [plaintiff does] not have any other remedy." (Doc. #1, p. 2.). However, the Tenth Circuit has upheld 28 U.S.C. § 1915(g). *White v. Colorado*, 157 F.3d 1226 (10<sup>th</sup> Cir. 1998) (three strikes provision did not violate prisoner's First Amendment right of access to the courts).

withdrawal requests to the plaintiff (pp. 41-50), and access to medical records (pp. 55-60). The Court has reviewed the complaint and all attachments and concludes plaintiff does not satisfy the standard he must meet to proceed in forma pauperis. The Court therefore will direct him to pay the full filing fee.

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff is granted to and including September 21, 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 21st day of August, 2018, at Topeka, Kansas.

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