

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

**JOSEPH LEE JONES,**

**Plaintiff,**

**v.**

**CASE NO. 19-3204-SAC**

**DRUG ENFORCEMENT  
ADMINISTRATION, et al.,**

**Defendants.**

**ORDER**

Plaintiff, Joseph Lee Jones, who is currently incarcerated at the Shawnee County Jail in Topeka, Kansas, brings this civil rights case against the Drug Enforcement Administration, the State of Kansas, Phelps Law Office, and Tim Phelps, Deputy Director of the Shawnee County Jail.

Plaintiff has filed a motion for leave to proceed in forma pauperis (Doc. 2). Plaintiff is subject to the “three-strikes” provision under 28 U.S.C. § 1915(g). Court records fully establish that Plaintiff “has, on 3 or more prior occasions, while incarcerated . . . , brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted.”<sup>1</sup> Accordingly, he may proceed in forma pauperis only if he establishes a threat of imminent danger of serious physical injury. *Id.* The Court has examined the Complaint, which is largely incomprehensible and

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<sup>1</sup> Prior to filing the instant complaint on October 7, 2019, the court finds at least four prior civil actions filed by Plaintiff which qualify as “strikes” under § 1915(g). *See Jones v. State of Kansas*, D.Kan. Case No. 12-3229-SAC (complaint dismissed August 21, 2013, as frivolous and as stating no claim for relief); *appeal dismissed* (10th Cir. August 14, 2014, additional “strike” assessed); *Jones v. Biloft*, D.Kan. Case No. 14-3041-SAC (complaint dismissed May 28, 2014, as frivolous); *Jones v. U.S. Copyright Office*, D.Kan. Case No. 14-3078-SAC (complaint dismissed October 14, 2014, as stating no claim for relief); *Jones v. U.S. Copyright Office*, D.Kan. Case No. 14-3108-SAC (complaint dismissed August 27, 2014, as frivolous, duplicative, and abusive).

appears to be legally frivolous, and finds no showing of imminent danger of serious physical injury.

Accordingly, pursuant to § 1915(g) Plaintiff may not proceed in forma pauperis in this civil action. Plaintiff is given time to pay the full \$400.00 district court filing fee<sup>2</sup> to the Court. If he fails to pay the full fee within the prescribed time, the Complaint will be dismissed based upon Plaintiff's failure to satisfy the statutory district court filing fee required by 28 U.S.C. § 1914.

**IT IS THEREFORE ORDERED BY THE COURT** that Plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is **denied**.

**IT IS FURTHER ORDERED** that Plaintiff is granted until **November 1, 2019**, to submit the \$400.00 filing fee. The failure to submit the fee by that date will result in the dismissal of this matter without prejudice and without additional prior notice.

**IT IS SO ORDERED.**

**Dated October 15, 2019, in Topeka, Kansas.**

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

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<sup>2</sup> If a person is not granted in forma pauperis status under § 1915, the fee to file a non-habeas civil action includes the \$350.00 fee required by 28 U.S.C. § 1914(a) and a \$50.00 general administrative fee pursuant to § 1914(b) and the District Court Miscellaneous Fee Schedule prescribed by the Judicial Conference of the United States.