

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

KEITH DARNELL COLLINS,

Plaintiff,

v.

CASE NO. 21-3254-SAC

STATE OF KANSAS, et al.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff filed this *pro se* civil rights case under 42 U.S.C. § 1983. The Court granted Plaintiff leave to proceed *in forma pauperis*. On February 3, 2022, the Court entered a Memorandum and Order to Show Cause (Doc. 9) (“MOSC”) ordering Plaintiff to show good cause why his Complaint should not be dismissed or to file an amended complaint to cure the deficiencies set forth in the MOSC. The deadline to respond to the MOSC was March 1, 2022. Plaintiff filed a response (Doc. 10) on March 3, 2022, which the Court considered. On March 4, 2022, the Court entered a Memorandum and Order dismissing this matter for failure to state a claim. (Doc. 11.) On March 7, 2022, Plaintiff filed an Amended Complaint (Doc. 13).

The Court finds that Plaintiff’s untimely Amended Complaint fails to cure the deficiencies set forth in the MOSC, and this case should remain closed. In his Amended Complaint, Plaintiff continues to ask this Court to interfere with his ongoing state criminal case. As his request for relief, he seeks to have “all documents excluded from consideration and charges pressed.” Doc. 13, at 5.) The Court previously found that the Court is prohibited from hearing Plaintiff’s claims under *Younger v. Harris*, 401 U.S. 37, 45 (1971). The Court also found that Plaintiff’s state law claims were not properly before the Court. “[A] violation of state

law alone does not give rise to a federal cause of action under § 1983.” *Malek v. Haun*, 26 F.3d 1013, 1016 (10th Cir. 1994) (citation omitted). Thus, the allegation that a state statute or state constitution was violated states no claim under § 1983.

IT IS THEREFORE ORDERED THAT Plaintiff’s Amended Complaint fails to cure the deficiencies set forth in the Court’s MOSC and this matter remains closed.

IT IS SO ORDERED.

Dated March 8, 2022, in Topeka, Kansas.

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