

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MICHAEL L. LEWIS,

Plaintiff,

vs.

Case No. 22-3053-SAC

JOHN SNYDER, and
MIKE JOHNSTON,

Defendants.

MEMORANDUM AND ORDER

The plaintiff Michael L. Lewis (“Lewis”) is confined in the United States Disciplinary Barracks (“USDB”) Fort Leavenworth, Kansas, and brings this pro se civil rights action pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). He asserts his First Amendment rights to practice his Nazirite vows were violated when USDB Commandant Mike Johnston and USDB Deputy Commandant John Snyder threatened disciplinary action while his DA 510 Form requests to have dreadlocks are still being processed. Lewis alleges that he submitted his requests for dreadlocks on January 31 and February 28 of 2022, and that Johnston threatened disciplinary actions on March 11, 2022, and Snyder threatened disciplinary actions on March 16, 2022. The plaintiff requests as relief \$100,000 for “court costs, materials, and suffering.” ECF# 1, p. 6.

The court screened the plaintiff’s complaint and issued a memorandum and order giving the plaintiff until May 25, 2022, in which to show good cause in writing why his complaint should not be dismissed for all the reasons stated therein and/or to file a complete and proper amended complaint curing all discussed

deficiencies. ECF# 4. The court's order also cautioned the plaintiff that his failure to file a good-cause response and/or an amended complaint by May 25 would result in the court's decision based upon his current deficient complaint and dismissal without further notice. *Id.* at pp. 7-8.

The deadline of May 25 has passed without Lewis filing either a response showing good cause or a proper amended complaint. Therefore, consistent with the warning in its prior order, the court adopts its findings and conclusions set out in its prior order as the reasons for now ruling that the plaintiff's complaint fails to state a claim for relief and shall be dismissed without prejudice.

IT IS THEREFORE ORDERED that the plaintiff's complaint (ECF# 1) is dismissed without prejudice for failure to state a claim for relief for the reasons stated in the court's screening order (ECF# 4).

Dated this 26th day of May, 2022, Topeka, Kansas.

s/Sam A. Crow
Sam A. Crow, U.S. District Senior Judge