

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TIMOTHY DOYLE YOUNG,

Plaintiff,

v.

CASE NO. 17-3131-SAC-DJW

DEPARTMENT OF JUSTICE, et al.,

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 conspiring to block his access to the courts by falsifying records, by transmitting falsified records through the mail and by wire communications, by falsely rejecting a disciplinary appeal, and by taking good conduct time in violation of policy and due process.¹

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.

¹ A claim alleging the wrongful deprivation of good conduct time must be presented in a habeas corpus action filed under 28 U.S.C. § 2241. Such a petition must be filed in the district where the prisoner is incarcerated. *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir. 1996). Plaintiff must present claims related to the loss of good conduct time in the U.S. District Court for the District of Colorado.

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff is granted to and including September 8, 2017, 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 9th day of August, 2017, at Kansas City, Kansas.

s/ David J. Waxse

DAVID J. WAXSE
U.S. Magistrate Judge