UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Frederick Banks,	)	**CASE NO. 4:20 CV 1798**
	)	
Petitioner,	)	**JUDGE PATRICIA A. GAUGHAN**
	)	
v.	)	
	)	**Memorandum of Opinion and Order**
Warden Michael Phillips, *et al.*,	)	
	)	
Respondents.	)	

This is another frivolous action filed by *pro se* Petitioner Frederick Banks, an inmate in the Northeast Ohio Correctional Complex in Youngstown, Ohio, and a frequent and frivolous filer in this and other District Courts. Although he has been declared a frivolous filer subject to the three-strikes provision of 28 U.S.C. § 1915(g) on numerous occasions and is barred from filing any further civil actions in federal court without prepayment of fees, Banks now attempts to utilize 28 U.S.C. § 2241 to circumvent the application of § 1915(g). He repeatedly has been told by many District Courts, including this one, that habeas corpus petitions cannot be used to assert claims pertaining to conditions of confinement or matters unrelated to the manner in which his sentence is being carried out. *Martin v. Overton*, 391 F.3d 710, 714 (6th Cir. 2004). Undeterred, Banks has filed this petition for a writ of habeas corpus under 28 U.S.C. § 2241

against NEOCC Warden Michael Phillips, the Country of Lebanon, the City of Beirut, the Wayward Georgia Police Department, and the Central Intelligence Agency ("CIA"). He claims the CIA issued a warrant for him and caused an explosion in Beirut and caused Wayward police officers to shoot at a car carrying children. He also contends he is suffering from tinnitus for which he is not receiving adequate treatment. These claims do not pertain to the manner in which his sentence is being carried out. They cannot be asserted in a habeas action. *Id.*; *Preiser v. Rodriguez*, 411 U.S. 475, 487-88 (1973).

Accordingly, this action is dismissed pursuant to 28 U.S.C. § 2243. Further, under 28 U.S.C. § 1915(a)(3), this Court certifies an appeal could not be taken in good faith.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
United States District Judge

Dated: 12/2/20