

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

**ORDER DISMISSING CASE;  
CERTIFYING THAT AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH;  
NOTIFYING SINGLETON OF THE APPELLATE FILING FEE;  
NOTIFYING SINGLETON OF THE COURT'S STRIKE RECOMMENDATION UNDER  
28 U.S.C. § 1915(g); AND CLOSING CASE**

On June 20, 2023, Plaintiff Timothy Singleton filed a *pro se* civil complaint pursuant to 42 U.S.C. § 1983. (See ECF No. 1.) On July 12, 2023, he filed an amended complaint. (ECF No. 8.) On July 17, 2023, the Court granted the motion for leave to proceed *in forma pauperis* and assessed the three hundred and fifty dollar (\$350.00) civil filing fee pursuant to the Prison Litigation Reform Act, 28 U.S.C. §§ 1915, *et seq* (the “PLRA”). (ECF No. 10.)

On July 3, 2024, the Court: (1) consolidated the filings at ECF Nos. 1 and 8 as the “Consolidated Complaint”; (2) dismissed the Consolidated Complaint without prejudice for failure to state a claim; and (3) granted leave to amend within twenty-one (21) days. (ECF No. 21 (“the Screening Order”) at PageID 106, 112, 115-16.) The Clerk mailed a copy of the Screening Order to Singleton at his address of record. The Screening Order warned “[i]f Singleton fails to file an amended complaint within the time specified, the Court will dismiss the complaint with prejudice and enter judgment.” (*Id.* at PageID 116.)

Singleton's deadline to submit amended claims was Wednesday, July 24, 2024. He has not submitted amended claims or sought an extension of time to do so. For these reasons, and for the reasons discussed in the Screening Order, the Court DISMISSES this case with prejudice in its entirety. The Court recommends that this dismissal be treated as a strike pursuant to 28 U.S.C. § 1915(g). *See Simons v. Washington*, 996 F.3d 350, 353 (6th Cir. 2021). (See also ECF No. 21 at PageID 116-17 (warning Singleton that if he failed to amend his claims in a timely manner, the Court would dismiss the case, enter judgment, and recommend that the dismissal be treated as a strike under § 1915(g)).) Judgment will be entered in accordance with the Screening Order.

Pursuant to Federal Rule of Appellate Procedure 24(a) and 28 U.S.C. § 1915(a)(3), it is CERTIFIED that any appeal in this matter by Singleton would not be taken in good faith. If Singleton nevertheless chooses to file a notice of appeal, Singleton must either: pay the entire \$605 appellate filing fee; or, if he is confined at that time, submit a new *in forma pauperis* affidavit and a current, certified copy of his inmate trust account statement for the last six months, in compliance with 28 U.S.C. §§ 1915(a)-(b).

IT IS SO ORDERED this 26th day of August, 2024.

/s/ *Samuel H. Mays, Jr.*  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE