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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLIE LEE MILLION,

Plaintiff,

No. CIV S-07-2218 MCE KJM P

vs.

GREEN WALL GUARDS, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____/

Plaintiff is a state inmate, who sent a letter to the United States District Court for the Northern District of California, which was in turn transferred to this district. Plaintiff has filed neither a civil rights complaint nor a motion to proceed in forma pauperis.

In the letter, plaintiff complains that he does not belong in California State Prison–Sacramento, which is a maximum security institution, and that the “Green Wall” guards are blocking his transfer to California State Prison–Los Angeles.

However, in Million v. Vasconcellos, Civ. No. S-03-0054 LKK GGH P, the court found plaintiff had “struck out” within the meaning of the Prisoner Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g). This court may take judicial notice of the records of other cases. United States v. Wilson, 631 F.2d 118, 119-20 (9th Cir. 1980). When an inmate has “struck out,” the court must determine whether plaintiff’s complaint shows he is “under imminent

1 danger of serious physical injury” before permitting him to proceed without prepayment of costs.
2 28 U.S.C. § 1915(g). Plaintiff’s exceedingly vague allegations do not satisfy this standard.

3 IT IS HEREBY RECOMMENDED that this action be dismissed.

4 These findings and recommendations are submitted to the United States District
5 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
6 days after being served with these findings and recommendations, plaintiff may file written
7 objections with the court. The document should be captioned “Objections to Magistrate Judge’s
8 Findings and Recommendations.” Plaintiff is advised that failure to file objections within the
9 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951
10 F.2d 1153 (9th Cir. 1991).

11 DATED: February 4, 2008.

12 
13 U.S. MAGISTRATE JUDGE

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