




plaintiff as frivolous or malicious.<sup>1</sup> As a result, Section 1915(g) is applicable.

The allegations made in the complaint do not demonstrate plaintiff was in "imminent danger of serious physical injury" at the time this lawsuit was filed. Section 1915(g) therefore bars plaintiff from proceeding with this action on an *in forma pauperis* basis. This case will, accordingly, be dismissed.

Conclusion

For the reasons set forth above, this lawsuit will be dismissed without prejudice pursuant to 28 U.S.C. § 1915(g). An appropriate final judgment shall be entered.

**SIGNED** this the 25 day of May, 2012.

  
Thad Heartfield  
United States District Judge

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<sup>1</sup> *Moore v. 204th Dist. Ct., Dallas County, Tex.*, No. 08cv2281 (N.D. Tex. Sept. 29, 2009) (dismissed as frivolous); *Moore v. U.S. Marshals Serv.*, No. 10cv1566 (S.D. Tex. May 17, 2010) (dismissed as malicious); *Moore v. 204th Dist. Ct., Dallas County, Texas*, 376 Fed.Appx. 426 (5th Cir. 2010) (appeal dismissed as frivolous).