

United States District Court
Southern District of Texas

ENTERED

July 08, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MICHAEL G. PETERS,
(TDCJ #2019190)

Plaintiff,

vs.

BOBBY LUMPKIN, *et al.*,

Defendants.

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CIVIL ACTION NO. H-22-2208

MEMORANDUM OPINION AND ORDER

State inmate Michael G. Peters, (TDCJ #2019190), representing himself, has filed a civil rights complaint under 42 U.S.C. § 1983 based on a conspiracy claim. (Docket Entry No. 1). He alleges that the State of Texas, the Texas Department of Criminal Justice, and Bobby Lumpkin as Executive Director of TDCJ’s Correctional Institutions Division are using prison mailroom staff to steal prisoners’ mail to prevent them from exposing political crimes. (*Id.* at 3). He also alleges that the Republican Party is trying to prevent him from exposing the crimes by falsely imprisoning him. (*Id.*). His complaint contains no facts supporting these allegations. After reviewing the pleadings and Peters’ litigation history as required by 28 U.S.C. § 1915A, the court dismisses this case. The reasons are explained briefly below.

Peters has an extensive history of frivolous and abusive litigation in this and other federal courts. Based on his history, this court previously entered an order precluding Peters from “filing any new case in this District unless he first obtains written permission from a Judge of this District.” *Peters, et al. v. Tex. Med. Bd.*, Civil No. H-22-59 (S.D. Tex. March 21, 2022). Despite this preclusion order, Peters filed his current case without obtaining such written permission. To the extent that this filing could be construed as seeking such written permission, it is denied.

Because of Peters' record of filing frivolous and abusive lawsuits and the clearly spurious nature of his current complaint, this court will not grant Peters permission to proceed with this action.

Peters' complaint, (Docket Entry No. 1), is dismissed with prejudice. His motion to proceed without prepayment of the filing fee, (Docket Entry Nos. 2, 3), is denied under 28 U.S.C. § 1915(g). Any other pending motions are denied as moot. The court certifies that any appeal from this order is not taken in good faith for purposes of 28 U.S.C. § 1915(a)(3).

SIGNED on July 8, 2022, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge