

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**DANIEL W. JAMISON,**

**Plaintiff,**

v.

**Civil Action No. 3:23cv384**

**LESLIE FLEMMING, et al.,**

**Defendants.**

**MEMORANDUM OPINION**

Plaintiff, a Virginia inmate, has submitted this action and requested leave to proceed *in forma pauperis*. The pertinent statute provides:

In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous, malicious, or for failure to state a claim. *See Jamison v. Robinson*, No. 3:23cv346, 2023 WL 3819370, at \*4 (E.D. Va. June 5, 2023); *Jamison v. Herring*, No. 3:22cv360, 2023 WL 3669384, at \*6 (E.D. Va. May 25, 2023); *Jamison v. Kassa*, No. 3:22cv552, 2023 WL 3321731, at \*4 (E.D. Va. May 9, 2023). Plaintiff's current complaint does not suggest that he is in imminent danger of serious physical harm. Accordingly, his request to proceed *in forma pauperis* will be DENIED. The action will be DISMISSED WITHOUT PREJUDICE.

Plaintiff remains free to submit a new complaint with the full \$402.00 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 7-20-2023  
Richmond, Virginia

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/s/  
M. Hannah Lauck  
United States District Judge