IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

VINCENT ELLIOT WILSON, Plaintiff,

v.

Civil No. 3:23cv451 (DJN)

GOV. GLENN YOUNGKIN, et. al., Defendants.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate, submitted this action that was transferred to this Court by the United States District Court for the District of Maryland. Plaintiff 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). At the time that he filed this action, Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. See Wilson v. Arthur, No. 3:23cv82 (DJN), 2023 WL 2506420, at *6 (E.D. Va. Mar. 14, 2023); Wilson v. Burgess, No. 3:22cv662 (DJN), 2023 WL 2505863, at *5 (E.D. Va. Mar. 14, 2023); Wilson v. Arthur, No. 3:22cv602 (DJN), 2023 WL 2507554, at *6 (E.D. Va. Mar. 14, 2023), aff'd 2023 WL 4839377 (4th Cir. July 28, 2023); Wilson v. U.S.P.S, No. 3:22cv689 (DJN), 2023 WL 1997069, *2 (E.D. Va. Feb. 14, 2023); Wilson v. Lindsey, No. 3:23cv83 (DJN), 2023 WL 1997070, at *2 (E.D. Va. Feb. 14, 2023), aff'd 2023 WL 4839386 (4th Cir. July 28, 2023). Plaintiff's current complaint does not credibly suggest that he stands 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 \$405 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Final Order will accompany this Memorandum Opinion.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Plaintiff.

David J. Novak

United States District Judge

Richmond, Virginia Dated: May 1, 2024