

CLERK'S OFFICE U.S. DIST. COURT
 AT ROANOKE, VA
 FILED

JUN 24 2005

JOHN F. CORCORAN, CLERK
 BY: *S. G. Wilson*
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**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 ROANOKE DIVISION**

PIERRE A. RENOIR,)	
Plaintiff,)	Civil Action No. 7:05CV00396
)	
v.)	<u>MEMORANDUM OPINION</u>
)	<u>AND FINAL ORDER</u>
)	
UNKNOWN VDOC STAFF, <u>et al.</u>,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

Plaintiff Pierre A. Renoir, a Virginia prisoner proceeding pro se, brings this action for damages pursuant to 42 U.S.C. § 1983. Renoir raises various claims regarding the food served at Red Onion State Prison.¹ This court has dismissed three previous actions filed by Renoir pursuant to 28 U.S.C. § 1915A(b)(1).² Therefore, Renoir may not proceed with this action until he either pays the \$250.00 filing fee or shows that he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). Although Renoir states in his complaint that he is willing to pay the filing fee, Renoir has neither prepaid the filing fee nor demonstrated that he is “under imminent danger of serious physical injury.” Accordingly, it is hereby **ORDERED** and **ADJUDGED** that Renoir’s complaint is **FILED** and **DISMISSED** without prejudice pursuant

¹Vinson laments the prison’s inability to properly prepare baked apples, and he details one of his many encounters with the prison’s scrambled eggs: “THE SUNDAY BLOB HAS RETURNED! What was this supposed to be? Fried “egg casserole”? It was scrambled RAW BREAD DOUGH! I am a chef graduate of the Denver School of Culinary Arts, and as both baker and restaurant chef I can tell you AGAIN that there is NO FLOUR in scrambled eggs, NO FLOUR in omelettes, NO FLOUR in egg casserole. If you want to fluff up eggs, you just add a little milk!”

²See Renoir v. Miller, Civil Action No. 7:99CV00330 (W.D. Va. Dec. 21, 1999); Renoir v. Angelone, Civil Action No. 7:99CV00211 (W.D. Va. Oct. 29, 1999); Renoir v. McMillan, Civil Action No. 7:99CV00356 (W.D. Va. June 28, 1999).

to 28 U.S.C. § 1915(g).³ This action is stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this order to the plaintiff.

ENTER: This 23rd day of June, 2005.


UNITED STATES DISTRICT JUDGE

³ The court has previously notified Renoir that he may not file civil actions in this court unless he either pays the filing fee or demonstrates that he is under imminent danger of serious physical injury. Therefore, the court will not give Renoir additional time to pay the filing fee or amend his complaint.