

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 11, 2012

Lyle W. Cayce
Clerk

No. 12-10303
Summary Calendar

MICHAEL ANTHONY DAVIS,

Plaintiff-Appellant

v.

KAREN L. COLLINS; TERRIL L. LASSITER; CHRIS WOLFE, Assistant United States Attorney; MICHAEL J. WORLEY, Assistant United States Attorney,

Defendants-Appellees

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:12-CV-92

Before CLEMENT, ELROD, and GRAVES, Circuit Judges.

PER CURIAM:*

Michael Anthony Davis, federal prisoner # 33896-177, appeals the district court's dismissal of his pro se civil rights complaint. Davis has been barred from proceeding in forma pauperis (IFP) under 28 U.S.C. § 1915(g) because, on at least three prior occasions while incarcerated, he brought a civil action or appeal in a court of the United States that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief could be granted. *See Davis v. United*

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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States, 4:11-CV-00064-Y (N.D. Tex. July 6, 2011) (unpublished) (dismissing civil complaint as malicious); *Davis v. Baker*, 251 F. App'x 899 (5th Cir. 2007) (unpublished) (dismissing appeal from dismissal of civil rights complaint as frivolous and barring Davis from proceeding IFP in the future under § 1915(g)); *Davis v. Baker*, 4:06-CV-886 (N.D. Tex. Jan. 10, 2007) (unpublished) (dismissing civil rights complaint as frivolous); *Davis v. Baker*, No. 4:07-CV-068-A (N.D. Tex. May 3, 2007) (unpublished) (dismissing civil rights complaint as frivolous); and *Davis v. Inmate Trust Fund*, No. 1:03-cv-00732-SS (W.D. Tex. Oct. 16, 2003) (unpublished) (dismissing civil rights complaint for failure to state a claim upon which relief may be granted). Further, Davis has not alleged that he is “under imminent danger of serious physical injury.” § 1915(g).

Accordingly, Davis’s IFP status is decertified, and the appeal is dismissed. Davis has 15 days from the date of this opinion to pay the full appellate filing fee to the clerk of the district court, should he wish to reinstate his appeal.

IFP DECERTIFIED; APPEAL DISMISSED.