

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

RALPH TAYLOR,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2014-5097

Appeal from the United States Court of Federal Claims in No. 1:13-cv-00759-SGB, Judge Susan G. Braden.

PER CURIAM.

O R D E R

Upon further consideration, we consider whether Ralph Taylor must pay the court's docketing fee in full before proceeding with this appeal.

Taylor is currently incarcerated. Pursuant to the Prison Litigation Reform Act (PLRA), a prisoner is barred from proceeding in forma pauperis if three or more prior actions or appeals brought by the prisoner have been dismissed as frivolous or malicious or for failure to state a claim:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section 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).

The court notes that three or more actions or appeals filed by Taylor have been dismissed as frivolous, malicious, or for failure to state a claim. *See, e.g., Taylor v. United States*, No. 13-112C (Fed. Cl. Feb. 19, 2013) (dismissing for failure to state a claim upon which relief may be granted); *Taylor v. United States*, No. 12-660C (Fed. Cl. Feb. 15, 2013) (same); *Taylor v. United States Treasury*, 13-1047 (D.D.C. July 10, 2013) (dismissing as frivolous). Moreover, Taylor has not suggested that he is in imminent danger of serious physical injury.

Accordingly,

IT IS ORDERED THAT:

- (1) The court's September 10, 2014 order concerning the docketing fee is vacated.
- (2) If Taylor does not pay the \$505 filing fee within 30 days of the date of this order, his appeal will be dismissed.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court