

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

LISA R. MURPHY
ADC #760343

PLAINTIFF

v.

No. 1:15-cv-119-DPM

J. BANKS, Warden, McPherson, ADC;
WENDY KELLEY, Director, Arkansas Department of
Correction; DEXTER PAYNE, Assistant Director, ADC;
ROSE HIGGINS, ARO, McPherson Unit, ADC;
DIXON, Warden, McPherson Unit, ADC; and
JOHN DOE, DHA

DEFENDANTS

ORDER

Murphy hasn't paid the filing and administrative fees in this case. And a motion to proceed *in forma pauperis* would be futile because Murphy is a three-striker. Before filing this lawsuit, she had at least three cases dismissed for failing to state a claim. *E.g.*, *Murphy v. Fisk, et al.*, 1:15-cv-50-BSM; *Murphy v. Culclager, et al.*, 1:15-cv-27-BSM; *Murphy v. Robinson, et al.*, 1:15-cv-47-JM. Nothing in Murphy's new complaint suggests she's currently in imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Her complaint will therefore be dismissed without prejudice.

If Murphy wants to pursue this case, then she must pay \$400 (the statutory filing and administrative fees) and file a motion to reopen the case by 9 December 2015. An *in forma pauperis* appeal from this Order and accompanying Judgment will not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

9 November 2015