

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

WALTER A. McCULLOUGH
ADC #91861

PLAINTIFF

v.

Case No. 3:10-cv-330-DPM

ANN HUDSON, Retired Clerk,
Craighead County Circuit Court;
CAROLYN YORK, Interim Clerk,
Craighead County Circuit Court;
MARY ANN WILKINSON, Clerk,
Lee County Circuit Court; and
MOSES JACKSON, Chief of Security,
East Arkansas Regional Unit

DEFENDANTS

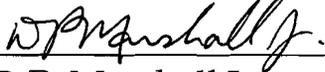
ORDER

The Court denies Walter McCullough's motion to reconsider, *Document No. 10*, its 14 March 2011 Order denying his request to proceed *in forma pauperis* and dismissing his amended complaint without prejudice under the three-strikes rule. The motion is denied for the same reasons the Court discussed in its prior Order. The Court has considered McCullough's "Supplemental Pleading", *Document No. 6*, and concluded that a disciplinary resulting from taking tuna from the chow hall does not satisfy the imminent-danger exception. Finally, McCullough's papers do not explain away the termination date contained within the work restriction: "This Medical

Restriction(s)/Limitation(s)/Special Authorization(s) Ends: 09/25/2008.”

Document No. 5, at 12. McCullough has not shown that his physical safety was in imminent danger when he filed this case (or since). Therefore the Court may not apply 28 U.S.C. § 1915(g).

So Ordered.



D.P. Marshall Jr.
United States District Judge