

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

PATRICK L. SHERMAN
ADC # 096304

PLAINTIFF

v.

No. 4:24-cv-1042-DPM

JOHN FELTS, Chair, Arkansas
Post Prison Transfer Board;
BRENT MORGAN, Member,
Arkansas Post Prison Transfer
Board; LONA MCCAHLAIN,
Director, Arkansas Post Prison
Transfer Board; WILLIE ROBINSON,
Member, Arkansas Post Prison
Transfer Board; ANDY SHOCK,
Member, Arkansas Post Prison
Transfer Board; WENDY LYALS,
Member, Arkansas Post Prison
Transfer Board; SARAH HUCKABEE
SANDERS, Governor, Arkansas; and
DOUG SMITH, Member, Arkansas
Post Prison Transfer Board

DEFENDANTS

ORDER

1. Sherman is a three-striker. Before filing this lawsuit, he had at least three cases dismissed for failing to state a claim. *E.g., Sherman v. Clark County, et al.*, Case No. 6:13-cv-6017-SOH (W.D. Ark.); *Sherman v. Clark County, et al.*, Case No. 6:13-cv-6126-SOH (W.D. Ark.); and *Sherman v. Correctional Medical Services, et al.*, Case No. 5:01-cv-161-JM

(E.D. Ark). Nothing in Sherman's new complaint, *Doc. 2*, suggests he's currently in imminent danger of serious physical injury. 28 U.S.C. § 1915(g). His complaint will therefore be dismissed without prejudice.

2. If Sherman wants to pursue this case, then he must pay \$405 (the filing and administrative fees) and file a motion to reopen the case by 3 February 2025. 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).

3. Sherman's motion for the appointment of counsel, *Doc. 2*, and motion for service, *Doc. 4*, are denied.

So Ordered.

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

3 January 2025