

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JEREMY KENNEDY
ADC #93061**

PLAINTIFF

V.

NO. 5:14-CV-00053 KGB/BD

ROBERT JONES, et al.

DEFENDANTS

ORDER

Mr. Kennedy has moved for the Court to reconsider its decision to deny his application for leave to proceed *in forma pauperis* (“IFP”) based on his status as a “three striker.” (Docket entry #4) He states that he is in danger of imminent, serious physical injury if he is not allowed to proceed IFP in this lawsuit. The motion (#4) is DENIED.

In his complaint, Mr. Kennedy complains about the medical treatment that he has received, or allegedly failed to receive, since 2009. During that time, he has been housed in at least five different units of the Arkansas Department of Correction (“ADC”). He complains that he has received conflicting hepatitis test results; he has not received adequate hepatitis treatment; he has not received partial dental implants; he has been forced to perform work beyond his physical capability, thus causing further damage to his shoulder; and he failed to received adequate medical treatment for a nose injury that he sustained in 2011.

The Court first notes that Mr. Kennedy’s complaint is flawed. He may not defeat the filing fee requirements by joining in one lawsuit a multitude of unrelated and legally distinct claims involving different Defendants, time periods, and ADC units. Further,

based on Mr. Kennedy's own allegations, it appears that he has continually been assessed and treated by ADC medical staff. Mr. Kennedy may not be satisfied with the medical treatment he has received, but that is insufficient to support a finding that he faces imminent, serious harm.

Accordingly, if Mr. Kennedy seeks to proceed with this lawsuit, he has thirty days to file an amended complaint containing only one constitutional claim and specifically explaining how he will suffer serious physical injury if the Court does not allow him to proceed IFP.¹ Based on the allegations raised in Mr. Kennedy's amended complaint, the Court will determine whether he should be allowed to proceed IFP or be required to pay the statutory filing fee.

IT IS SO ORDERED this 10th day of March, 2014.


UNITED STATES MAGISTRATE JUDGE

¹ For example, Mr. Kennedy may pursue either his claim involving the failure to provide medical treatment for hepatitis or the failure to provide him adequate dental care. He may not pursue both claims in this lawsuit.