

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSHUA TODD WOOLRIDGE, CASE NO. 1:10-cv-01188-OWW-DLB  
(PC)  
Plaintiff,

v.

TALLERICO, et al.,

Defendants.

ORDER DENYING MOTION TO PROCEED  
IN FORMA PAUPERIS AND REQUIRING  
PLAINTIFF TO PAY \$350.00 FILING  
FEE WITHIN TWENTY (20) DAYS

( ECF NO. 2 )

1

Plaintiff Joshua Todd Woolridge ("Plaintiff") is a California state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On July 1, 2010, Plaintiff filed a motion to proceed in forma pauperis. (ECF No. 2.)

The Prison Litigation Reform Act provides that "[i]n no event shall a prisoner bring a civil action . . . under this section if the prisoner has, on 3 or more 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(q).

Court records reveal that pursuant to 28 U.S.C. § 1915(g),

1 Plaintiff is ineligible to proceed in forma pauperis and is  
2 required to submit the filing fee in full in order to proceed  
3 with this action. The Court takes judicial notice of the  
4 following cases that qualify as strikes pursuant to 28 U.S.C. §  
5 1915(g): *Woolridge v. San Bernardino County Dep't of Childrens*  
6 *Svc. Dir., et al.*, 5:04-cv-01602-UA-MAN(C.D. Cal.) (dismissed  
7 01/20/2005 for failure to state a claim); *Woolridge v. San*  
8 *Bernardino County Dep't of Childrens Svc. Dir.*, 5:06-cv-01351-UA-  
9 MAN(C.D. Cal.) (dismissed 01/03/2007 for failure to state a  
10 claim); *Woolridge v. San Bernardino County Dep't of Childrens*  
11 *Svc. Dir.*, 5:07-cv-00229-UA-DUTY (C.D. Cal.) (dismissed  
12 03/20/2007 for failure to state a claim); *Woolridge v.*  
13 *City/County of Riverside, et al.*, 5:08-cv-01815-UA-MAN (C.D.  
14 Cal.) (dismissed 01/16/2009 for failure to state a claim);  
15 *Woolridge v. City/County of Riverside, et al.*, 5:09-cv-00314-UA-  
16 MAN(C.D. Cal.) (dismissed 02/23/2009 for failure to state a  
17 claim); *Woolridge v. Cal. Dep't of Corr. & Rehab., et al.*, 1:09-  
18 cv-00158-AWI-GSA (E.D. Cal.) (dismissed 05/15/2009 for failure to  
19 state a claim); *Woolridge v. Cal. Dep't of Corr. & Rehab.*, 2:09-  
20 cv-00734-JAM-GGH (E.D. Cal.) (dismissed 07/27/2009 for failure to  
21 state a claim); *Woolridge v. Anwar*, 5:09-cv-01377-UA-MAN (C.D.  
22 Cal.) (dismissed 07/29/2009 for failure to state a claim).

23 Plaintiff's complaint alleges that he was denied due process  
24 when he was housed in a level four maximum custody level  
25 facility. Plaintiff's pleading do not demonstrate he is under  
26 imminent danger of serious physical injury. Plaintiff is  
27 required to pay the \$350.00 filing fee before proceeding in this  
28 action.

Accordingly, it is HEREBY ORDERED that Plaintiff's motion to proceed in forma pauperis is DENIED. Plaintiff is ordered to pay the \$350.00 filing fee in full within **twenty (20) days** from the date of service of this order. Failure to pay the filing fee will result in dismissal of this action.

IT IS SO ORDERED.

Dated: July 7, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE