

1 satisfy the imminent danger exception to section 1915(g).² Andrews v. Cervantes, 493 F.3d
2 1047, 1055-56 (9th Cir. 2007). Therefore, Plaintiff must pay the \$400.00 filing fee if he wishes
3 to litigate this claim.

4 Accordingly, the Court HEREBY ORDERS as follows:

- 5 1. Plaintiff's motion for leave to proceed in forma pauperis in this action is DENIED;
- 6 2. This action is DISMISSED without prejudice to re-filing accompanied by the \$400.00
7 filing fee; and
- 8 3. The Clerk of the Court shall enter judgment.

9 IT IS SO ORDERED.

10 Dated: November 4, 2014

/s/ Lawrence J. O'Neill
11 UNITED STATES DISTRICT JUDGE

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25 ² Plaintiff alleges that he has been involuntarily medicated with psychotropic medication due to mental illness since
26 approximately November 2012. Plaintiff claims that an administrative law judge has continued to allow the
27 involuntary medication to continue via a Keyhea petition, but that the medication causes side effects, such as
28 dizziness, headaches, chest pain and blurred vision. By his own admission, Plaintiff has been involuntarily
medicated with psychotropic medications since 2012, and has been complaining of medication side effects from
November 6, 2013, to the present. (ECF No. 1, p. 8.) Such an admission suggests that any purported side effects
from the medication, which he has been experiencing for at least 1 year, do not demonstrate imminent danger of
serious physical injury at the time the complaint was filed.