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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

GREGORY ELL SHEHEE,  
  
                    Plaintiff,  
  
          v.  
  
SHERIFF MIMS, et al.,  
  
                    Defendants.

Case No. 1:15-cv-00428 AWI DLB (PC)  
  
ORDER DISMISSING ACTION, WITHOUT  
PREJUDICE, PURSUANT TO 28 U.S.C. §  
1915(G)  
  
(Doc. 1)

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Plaintiff Gregory Ell Shehee, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 19, 2015. Plaintiff is subject to 28 U.S.C. § 1915(g), which provides that “[i]n no event shall a prisoner bring a civil action . . . under this section if the prisoner has, on 3 or more prior 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.”<sup>1</sup>

<sup>1</sup> Plaintiff has at least three dismissals which qualify as final strikes under section 1915(g). *Silva v. Di Vittorio*, 658 F.3d 1090, 1098-99 (9th Cir. 2011). The Court takes judicial notice of the following United States District Court cases: *Shehee v. Martin*, 2:01-cv-0163-DFL-PAN (E.D.Cal.) (dismissed for failure to state a claim on August 16, 2001); *Shehee v. Peugh*, 1:14-cv-0612-LJO-SKO (E.D.Cal.) (dismissed for failure to state a claim on December 17, 2014); *Shehee v. Ortega*, 1:14-cv-0623-AWI-MJS (E.D.Cal.) (dismissed for failure to state a claim on November 26, 2014); *Shehee v. Carter*, 1:14-cv-0624-LJO-BAM (E.D.Cal.) (dismissed for failure to state a claim on February 6, 2015).

1 The Court has reviewed Plaintiff's complaint and his allegations do not satisfy the  
2 imminent danger exception to section 1915(g).<sup>2</sup> Andrews v. Cervantes, 493 F.3d 1047, 1055-56  
3 (9th Cir. 2007). If Plaintiff wishes to pursue this action, he must first pay the \$400.00 filing fee.

4 Accordingly, the Court HEREBY ORDERS that this action is DISMISSED, without  
5 prejudice to re-filing accompanied by the \$400.00 filing fee.

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7 IT IS SO ORDERED.

8 Dated: March 31, 2015

  
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9 SENIOR DISTRICT JUDGE

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28 <sup>2</sup> Plaintiff is currently incarcerated at Fresno County Jail, and his allegations concern lack of access to the library, medical care, and the criminal process in state court. His complaint presents no allegations that he is under imminent danger of serious physical injury.