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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONNIE O. BROWN,
Plaintiff,
v.
P. BRITWELL, et al.,
Defendants.

Case No. 1:15-cv-01076 LJO DLB (PC)
ORDER (1) DENYING MOTION FOR
LEAVE TO PROCEED IN FORMA
PAUPERIS, (2) DISMISSING ACTION,
WITHOUT PREJUDICE, PURSUANT TO 28
U.S.C. § 1915(G), AND (3) DIRECTING
CLERK OF COURT TO ENTER
JUDGMENT
(ECF No. 10)

Plaintiff Ronnie O. Brown, # AT-6806, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on May 11, 2015. On May 29, 2015, he filed a motion for leave to proceed in forma pauperis.

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.” Plaintiff served a prior commitment with the California Department of Corrections and Rehabilitation (“CDCR”) under the name of Rodney O. Brown under CDCR #D-18656. See

1 Brown v. Hubbard, Case No. 2:08-2394-EFS (E.D. Cal. 2009).¹ In addition, he has served a prior
2 commitment with the CDCR under the name of Ronnie O. Brown under CDCR #K-89434. Id.
3 Plaintiff has filed numerous actions in the District Courts under his various names and CDCR
4 numbers. Under the name of Ronnie O. Brown alone, Plaintiff has filed approximately fifty
5 separate actions in the District Courts. Id.

6 The Court has reviewed Plaintiff's Complaint. Plaintiff is suing Correctional Captain P.
7 Britewell, Correctional Officer D. Britewell, State of California, California Department of
8 Corrections and Rehabilitation, Governor E. G. Brown, Warden S. Sherman, Chief Regulation
9 Policy Management Branch Officer T. M. Lockwood, Undersecretary of Operations M. Hoshino,
10 Associate Warden Steve Smith, Correctional Counselor Gonzales, Sergeant Gerro, Sergeant
11 Norman, Lieutenants Ward, Alvano, Suits, Schiwat, and Garza, Correctional Officer Danyale
12 Sanders, Associate Warden J. P. Corral, and Lieutenant W. S. Wadkins. Plaintiff complains that
13 the Defendants have failed to comply with court-ordered mandates to provide reasonable
14 accommodations under the Americans with Disabilities Act, failed to employ a court compliance
15 officer to develop and devise a plan to comply with the Armstrong court order, failed to insure a
16 Section 504 accessibility housing design and/or comply with federal accessibility standards and
17 renovate the prison, failed to provide inmates with visual aids, failed to provide parole housing
18 assistance services and to participate in program activities while in prison, and failed to provide
19 appropriate dental care. Plaintiff's allegations do not satisfy the imminent danger exception to
20 section 1915(g). Andrews v. Cervantes, 493 F.3d 1047, 1055-56 (9th Cir. 2007). Therefore,
21 Plaintiff must pay the \$400.00 filing fee if he wishes to litigate his claim.

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28 ¹ The Court may take judicial notice of its own records, United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980),
and court records in other cases, United States v. Howard, 381 F.3d 873, 876 n.1 (9th Cir. 2004).

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ORDER

Accordingly, the Court HEREBY ORDERS as follows:

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

IT IS SO ORDERED.

Dated: October 1, 2015

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE