UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RICKY GRAY, Plaintiff, v. J. LEWIS, et al., Defendants.	Case No.: 1:16-cv-0970-BAM (PC) ORDER TO SHOW CAUSE WHY INFORMA PAUPERIS SHOULD NOT BE REVOKED **FOURTEEN DAY DEADLINE**

Plaintiff Ricky Gray ("Plaintiff"), a state prisoner proceeding pro se, filed this action in the Northern District of California, pursuant to 28 U.S.C. § 1361, on May 27, 2016. On July 6, 2016, the claims and defendants in Plaintiff's action arising from Tehachapi (California Correctional Institution) and Corcoran State Prison were severed from the action in the Northern District of California, and transferred to this district. (ECF Nos. 6, 7.) Following an Order to Show Cause, the Northern District denied Plaintiff's motion to proceed informa pauperis. That Court found that Plaintiff has at least three strikes pursuant to 28 U.S.C. § 1915. (See Doc. 6.)

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."

Once the claims had been transferred to this District, this Court granted Plaintiff's request to proceed informa pauperis. (Doc. 10.) Plaintiff filed a consent to magistrate judge jurisdiction. (Doc. 11.) By separate screening order issued contemporaneously with this Order, this Court has screened Plaintiff's complaint for the claims arising from Tehachapi and Corcoran State Prison and dismissed those claims for failure to state a claim.

Finding no meritorious claim or imminent danger, Plaintiff is ordered to show cause within 14 (fourteen) days of the date of service of this order why this case should not be deemed three strikes barred and Plaintiff's informa pauperis status revoked. **Plaintiff's failure to comply with this order will result in a dismissal of this action.** If after receiving this order, Plaintiff no longer wishes to pursue this action, he shall file a Notice of Voluntary Dismissal.

IT IS SO ORDERED.

Dated: **May 26, 2017**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE