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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,
Plaintiff,
v.
D. JUST,
Defendant.

No. 2:17-cv-1139 KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1). Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c).

Plaintiff requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Review of court records reveals that on at least three occasions lawsuits filed by the plaintiff have been dismissed on screening as barred by the statute of limitations:

1. Williams v. Aparicio, No. 2:14-cv-08640 (C.D. Cal. Feb. 5, 2015). ECF No. 15-3 at 13-14; see also ECF No. 15-3 at 7-12 (Report and Recommendation).

2. Williams v. Kerkfoot, No. 2:14-cv-07583 (C.D. Cal. May 15, 2015). ECF No. 15-3 at 35-36; see also ECF No. 15-3 at 23-34 (Report and Recommendation).

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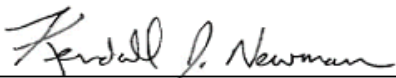
1 3. Williams v. Young, No. 2:14-cv-8037 (C.D. Cal. May 19, 2015). ECF No. 15-3 at
2 46-52 (Memorandum and Order).

3 On April 7, 2017, another magistrate judge explained to plaintiff that such dismissals
4 count as strikes under 28 U.S.C. § 1915(g) because this court is bound by Belanus v. Clark, 796
5 F.3d 1021 (9th Cir. 2015). Williams v. Logan, Case No. 2:15-cv-2084 MCE AC P (E.D. Cal.)
6 (ECF No. 18 at 2) (majority in Belanus affirmed the decision that the action was time-barred
7 counted as a strike under 1915(g)). Moreover, on August 17, 2017, the Ninth Circuit found that
8 the district court in Williams v. Degeorges, 2:16-cv-0025 TLN CKD (E.D. Cal.) properly denied
9 plaintiff in forma pauperis status because plaintiff had sustained three § 1915(g) strikes. Williams
10 v. Degeorges, 2017 WL 3530901 (9th Cir. 2017).

11 Plaintiff is therefore precluded from proceeding in forma pauperis in this action unless
12 plaintiff is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). Plaintiff
13 has not alleged any facts which suggest that he is under imminent danger of serious physical
14 injury. (ECF No. 1.) Thus, plaintiff must submit the appropriate filing fee in order to proceed
15 with this action.

16 In accordance with the above, IT IS HEREBY ORDERED that plaintiff shall submit,
17 within twenty-one days from the date of this order, the appropriate filing fee. Plaintiff’s failure to
18 comply with this order will result in a recommendation that this action be dismissed.

19 Dated: August 30, 2017

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21 _____
22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE

24 /will1139.1915g