Grimes v. Adachi Doc. 3

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME L. GRIMES,)	Nos.	C 12-6165 JSW (PR) C 12-6166 JSW (PR)
Plaintiff,)		C 12-6167 JSW (PR) C 12-6168 JSW (PR) C 12-6387 JSW (PR)
V.)		C 12-6388 JSW (PR) C 12-6389 JSW (PR) C 12-6390 JSW (PR)
EILEEN MOUNCE, et al.,)		C 12-6392 JSW (PR) C 12-6398 JSW (PR) C 12-6509 JSW (PR) C 12-6510 JSW (PR)
Defendants.)))	ORD	ER OF DISMISSAL

Plaintiff, an inmate in the San Francisco County Jail and frequent litigator in this Court, has recently filed the twelve pro se civil rights cases listed above. On May 18, 2000, this Court informed Plaintiff that under the "three-strikes" provisions of 28 U.S.C. § 1915(g) he generally is ineligible to proceed *in forma pauperis* in federal court with civil actions filed while he is incarcerated. *See Grimes v. Oakland Police Dept.*, C 00-1100 CW (Order Dismissing Complaint, 5/18/00). Since then, Plaintiff has continued to file hundreds of civil rights actions seeking *in forma pauperis* status. With respect to each action filed, the Court conducts a preliminary review to assess the nature of the allegations and to determine whether Plaintiff alleges facts which bring him within the "imminent danger of serious physical injury" exception to § 1915(g). In the past, Plaintiff has routinely been granted leave to amend to pay the full filing fee and to state

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cognizable claims for relief, but he has habitually failed to do so. For example, in 2003 alone Plaintiff's failure to comply resulted in the dismissal of approximately thirty-six actions under § 1915(g).

In accord with this ongoing practice, the Court has reviewed the allegations in the present actions and finds that Plaintiff alleges no facts which bring him within the "imminent danger" clause. The majority of these actions challenge the validity of his arrest, criminal charges, and criminal proceedings that led to his current incarceration. He otherwise makes nonsensical or inherently impossible allegations, such as that defendants (jail officials) are engaged in "pop-top valve cover theft," are "covert terrorists," and committed the "Madrid, Spain train bombing co-fence March 11, 2003." As has been explained to Plaintiff countless times, such claims are barred. Therefore, it would be futile to grant Plaintiff leave to amend. And even if Plaintiff did amend, he would be required to pay the \$350.00 filing fee, which he has never done.

Accordingly, these cases are DISMISSED without prejudice under § 1915(g). The applications to proceed in forma pauperis are DENIED. No fee is due. If Plaintiff is so inclined, he may bring his claims in a new action accompanied by the \$350.00 filing fee. In any event, the Court will continue to review under § 1915(g) all future actions filed by Plaintiff while he is incarcerated in which he seeks in forma pauperis status.

The Clerk of the Court shall close the files and terminate all pending motions in the cases listed in the caption of this order.

United States District Judge

IT IS SO ORDERED.

DATED: January 9, 2013

1	UNITED STATES DISTRICT COURT			
2	FOR THE			
3	NORTHERN DISTRICT OF CALIFORNIA			
4				
5	JEROME L GRIMES,			
6	Plaintiff,	Case Number: C 12-6165 JSW (PR) C 12-6166 JSW (PR)		
7		C 12-6167 JSW (PR) C 12-6168 JSW (PR)		
8	v. EILEEN MOUNCE et al,	C 12-6387 JSW (PR) C 12-6388 JSW (PR)		
9	Defendant.	C 12-6389 JSW (PR) C 12-6390 JSW (PR)		
10	Defendant.	C 12-6392 JSW (PR) C 12-6398 JSW (PR)		
11		C 12-6509 JSW (PR) C 12-6510 JSW (PR)		
12	CERTIFICATE OF SERVICE			
13				
14	I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.			
15	copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery			
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19	Jerome L. Grimes #12675072			
20	Richard V			
21		Jennifer Ottolini		
22		Richard W. Wieking, Clerk		
23		By: Jennifer Ottolini, Deputy Clerk		
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