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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 JEROME L. GRIMES,

9 Plaintiff,

10 v.

11 ALCANTRA, et al.,

12 Defendants.
13 _____

Nos. C 13-0719 JSW (PR)

ORDER OF DISMISSAL

14
15 Plaintiff, an inmate in the Napa State Hospital and frequent litigator in this Court,
16 has recently filed this pro se civil rights case. On May 18, 2000, this Court informed
17 Plaintiff that under the "three-strikes" provisions of 28 U.S.C. § 1915(g) he generally is
18 ineligible to proceed *in forma pauperis* in federal court with civil actions filed while he is
19 incarcerated. See *Grimes v. Oakland Police Dept.*, C 00-1100 CW (Order Dismissing
20 Complaint, 5/18/00). Since then, Plaintiff has continued to file hundreds of civil rights
21 actions seeking *in forma pauperis* status. With respect to each action filed, the Court
22 conducts a preliminary review to assess the nature of the allegations and to determine
23 whether Plaintiff alleges facts which bring him within the "imminent danger of serious
24 physical injury" exception to § 1915(g). In the past, Plaintiff has routinely been granted
25 leave to amend to pay the full filing fee and to state cognizable claims for relief, but he
26 has habitually failed to do so. For example, in 2003 alone Plaintiff's failure to comply
27 resulted in the dismissal of approximately thirty-six actions under § 1915(g).

28 In accord with this ongoing practice, the Court has reviewed the allegations in the

1 present action and finds that Plaintiff alleges no facts which bring him within the
2 "imminent danger" clause. The complaint makes a series of nonsensical or inherently
3 impossible allegations, including "organ smuggling," "cannibalism," mass child
4 exploitation and abduction," and "right to breakfast venue while continuous
5 hospitalization." As has been explained to Plaintiff countless times, such claims are
6 barred. Therefore, it would be futile to grant Plaintiff leave to amend. And even if
7 Plaintiff did amend, he would be required to pay the \$350.00 filing fee, which he has
8 never done.

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

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

16 IT IS SO ORDERED.

17 DATED: March 1, 2013

18 
JEFFREY S. WHITE
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 JEROME L GRIMES,
6 Plaintiff,
7

Case Number: CV13-00719 JSW

CERTIFICATE OF SERVICE

8 v.

9 ALCANTARA et al,
10 Defendant.
11

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

13 That on March 1, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Jerome L. Grimes
18 Napa State Hospital
19 #206586-0/ Unit Q-1 & 2
20 2100 Napa Vallejo Highway
21 Napa, CA 94558

22 Dated: March 1, 2013



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk