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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 ERIN DOE, et al.,

12 Defendants.
13

No. C 13-2528 JSW (PR)

ORDER OF DISMISSAL

(Docket No. 2)

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 claims for defamation and preventing
3 him access to the courts. Plaintiff also makes unintelligible allegations, such as "house
4 looting/legacy plunder, pretext foreclosure alternative back-up plan." On numerous
5 occasions, Plaintiff has been informed that allegations such as these do not establish
6 imminent danger. Therefore, it would be futile to grant Plaintiff leave to amend.

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

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

14 IT IS SO ORDERED.

15 DATED: July 1, 2013

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JEFFREY S. WHITE
United States District Judge

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6 UNITED STATES DISTRICT COURT
7 FOR THE
8 NORTHERN DISTRICT OF CALIFORNIA
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10 JEROME L GRIMES,
11 Plaintiff,
12

Case Number: CV13-02528 JSW

CERTIFICATE OF SERVICE

13 v.
14 ERIN DOE, et al.,
15 Defendant.
16 _____/

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

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

23 Jerome L. Grimes
24 Napa State Hospital
25 #206586-0/ Unit Q-1 & 2
26 2100 Napa Vallejo Highway
27 Napa, CA 94558

28 Dated: July 1, 2013


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