

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

1	JEROME L. GRIMES,	)	No. C 13-3527 JSW (PR)
2	Plaintiff,	)	<b>ORDER OF DISMISSAL</b>
3	v.	)	
4	REBECCA, et al.,	)	(Docket No. 3)
5	Defendants.	)	
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14 Plaintiff, an inmate in the Napa State Hospital and frequent litigator in this Court,  
15 has recently filed this pro se civil rights case. On May 18, 2000, this Court informed  
16 Plaintiff that under the "three-strikes" provisions of 28 U.S.C. § 1915(g) he generally is  
17 ineligible to proceed *in forma pauperis* in federal court with civil actions filed while he is  
18 incarcerated. *See Grimes v. Oakland Police Dept.*, C 00-1100 CW (Order Dismissing  
19 Complaint, 5/18/00). Since then, Plaintiff has continued to file hundreds of civil rights  
20 actions seeking *in forma pauperis* status. With respect to each action filed, the Court  
21 conducts a preliminary review to assess the nature of the allegations and to determine  
22 whether Plaintiff alleges facts which bring him within the "imminent danger of serious  
23 physical injury" exception to § 1915(g). In the past, Plaintiff has routinely been granted  
24 leave to amend to pay the full filing fee and to state cognizable claims for relief, but he  
25 has habitually failed to do so. For example, in 2003 alone Plaintiff's failure to comply  
26 resulted in the dismissal of approximately thirty-six actions under § 1915(g).

27 In accord with this ongoing practice, the Court has reviewed the allegations in the  
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1 present action and finds that Plaintiff alleges no facts which bring him within the  
2 "imminent danger" clause. The complaint makes a number of highly implausible or  
3 unintelligible allegations, such as "post - 02/26/93[94] covert terror while hiding and  
4 impersonating to attempt to avoid prosecution for trying to make the WTC victims'  
5 bonus loatable." On numerous occasions, Plaintiff has been informed that allegations  
6 such as these neither establish imminent danger nor state cognizable claims for relief.  
7 Therefore, it would be futile to grant Plaintiff leave to amend.

8 Accordingly, this case is DISMISSED without prejudice under § 1915(g). The  
9 application to proceed *in forma pauperis* is DENIED. No fee is due. If Plaintiff is so  
10 inclined, he may bring his claims in a new action accompanied by the \$400.00 filing fee.  
11 In any event, the Court will continue to review under § 1915(g) all future actions filed by  
12 Plaintiff while he is incarcerated in which he seeks *in forma pauperis* status.

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

15 IT IS SO ORDERED.

16 DATED: October 2, 2013

  
17 JEFFREY S. WHITE  
18 United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

## GRIMES,

Case Number: CV13-03527 JSW

Plaintiff,

## **CERTIFICATE OF SERVICE**

V.

REBECCA, et al,

Defendant.

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

That on October 2, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said 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 receptacle located in the Clerk's office.

Jerome L. Grimes  
San Francisco County Jail #3  
850 Bryant Street, 6<sup>th</sup> Floor  
#13672741 #408761  
San Francisco, CA 94103

Dated: October 2, 2013

*Jennifer Ottolini*  
Richard W. Wiekking, Clerk  
By: Jennifer Ottolini, Deputy Clerk