

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ANDREW GROSS, III,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 10-0194 (PLF)
)	
ERIC HOLDER, JR., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MEMORANDUM OPINION

Pursuant to the Prison Litigation Reform Act (“PLRA”), a prisoner may not proceed *in forma pauperis* if while incarcerated he has filed at least three prior cases that were dismissed as frivolous, malicious, or for failure to state a claim. 28 U.S.C. § 1915(g). There is an exception for a prisoner who shows that he “is under imminent danger of serious physical injury” at the time he files suit. *Id.*

This Court has determined that plaintiff is barred under 28 U.S.C. § 1915(g) from proceeding *in forma pauperis* in this action. *Gross v. Holder*, No. 10-0194, 2010 WL 2179173 (D.D.C. June 1, 2010). In addition, the Court revoked plaintiff’s *in forma pauperis* status, directed plaintiff to pay the filing fee within 30 days, and advised plaintiff that this action would be dismissed if he failed to pay the fee timely. To date, plaintiff has not paid the filing fee, and this action will be dismissed without prejudice.

An Order is issued separately.

DATE: July 16, 2010

/s/ _____
PAUL L. FRIEDMAN
United States District Judge