

(W.D.N.C. Mar. 20, 2006) (citing cases); *see also Faison v. North Carolina*, No. 5:13-CT-3199 (W.D.N.C. Dec. 3, 2013) (adopting Magistrate Judge Report and Recommendation to dismiss David Lee Smith as a party plaintiff under 28 U.S.C. § 1915(g)).

Under these circumstances, the plaintiff may proceed *in forma pauperis* only if he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). He fails to allege facts showing that he is under imminent danger of serious physical injury and, therefore, his application to proceed *in forma pauperis* must be denied.

An Order is issued separately.

DATE: 6/13/16


United States District Judge