



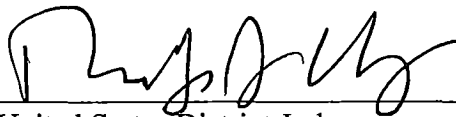
In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g); see *Fourstar v. Garden City Grp., Inc.*, 875 F.3d 1147, 1149 (D.C. Cir.

2017) (“[A] dismissal of a prisoner’s lawsuit for failure to state a claim, or as frivolous or malicious, is commonly referred to as a strike.”). This plaintiff has accumulated two strikes, see *Holger v. United States of America*, No. 3:18-cv-00241 (D. Alaska Dec. 20, 2018) (dismissing with prejudice for failure to state a claim upon which relief can be granted); *Holger v. Burgess*, No. 3:18-cv-00166 (D. Alaska Aug. 3, 2018) (dismissing with prejudice for failure to state a claim upon which relief can be granted). If, in a future civil action, plaintiff fails to demonstrate that he qualifies for the “imminent danger” exception, the Court may deny his application to proceed *in forma pauperis*.

An Order is issued separately.

DATE: January 11, 2019

  
United States District Judge