

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

ROBERT HEARD,	:	
	:	
Plaintiff,	:	
	:	NO. 7:12-CV-005-HL-TQL
VS.	:	
	:	
Warden DANFORTH, et. al.	:	
	:	
Defendants.	:	

ORDER ON MOTION FOR RECONSIDERATION

Plaintiff **ROBERT HEARD**, a prisoner at Valdosta State Prison in Valdosta, Georgia, has moved for the Court to reconsider its Order dismissing his Complaint pursuant to 28 U.S.C. § 1915(g). In his Motion, Plaintiff questions the Court’s authority to dismiss his Complaint and suggests that the Court erred in finding that he failed to satisfy the requirements for the “imminent danger of serious physical injury” exception to § 1915(g).

The Court is not persuaded that there was any error in its prior Order. Authority for the Court’s dismissal of Plaintiff’s Complaint is found in 28 U.S.C. § 1915(g). Plaintiff should be familiar with this statute, as he has already had multiple suits dismissed under the “three strikes” provision. See e.g., Heard v. Tanner, 3:11-cv-0099 (S.D. Ga.) (dismissed Jan. 11, 2012); Heard v. Pannell, 1:11-cv-4021-CAP (N.D. Ga. dismissed Dec. 30, 2011); Heard v. Allbade, 5:11-cv-508-CAR (M.D. Ga.) (dismissed Jan. 6, 2011); Heard v. Master Lock, 1:11-cv-3783-CAP (dismissed Nov. 28, 2011); Heard v. Edenfield, 1:11-cv-2828 (N.D. Ga.) (dismissed Oct. 11, 2011); Heard v. Terry, 5:10-cv-442-CAR (M.D. Ga.) (dismissed Dec. 21, 2010); Heard v. Owens, 1:10-cv-2403-CAP (dismissed Sept. 16, 2010); Heard v. Donald, 1:10-cv-01726-WCO (dismissed July 27, 2010);

Heard v. Donald, 1:10-cv-2630-CAP (N.D. Ga.) (dismissed Aug. 31, 2010); Heard v. Purdue, 1:10-cv-02722-CAP (dismissed Oct. 7, 2010).

Plaintiff's Complaint and Motion also fail to demonstrate that he is in "imminent danger of serious physical injury." Plaintiff's allegations of past injury and generalized suggestions of a possible threat of injury do not satisfy the requirements for this exception to § 1915(g). See Medberry v. Butler, 185 F.3d 1189, 1193 (11th Cir. 1999) (" . . . a prisoner's allegation that he faced imminent danger sometime in the past is an insufficient basis to allow him to proceed *in forma pauperis* pursuant to the imminent danger exception to the statute."); Odum v. Bryan County Judicial Circuit, 2008 WL 766661 at * 1 (S.D. Ga. March 20, 2008) ("General and conclusory allegations not grounded in specific facts indicating that injury is imminent cannot invoke the § 1915(g) exception.").

The present Motion for Reconsideration is accordingly **DENIED**.

SO ORDERED, this 13th day of February, 2012.

s/ Hugh Lawson
HUGH LAWSON, Senior Judge
UNITED STATES DISTRICT COURT

jlr