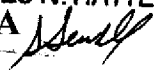


MAR 25 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. HATTEN, Clerk



Deputy Clerk

KIM LITTLE,	:	PRISONER CIVIL RIGHTS
a.k.a., Prince Mujahid,	:	42 U.S.C. § 1983
Plaintiff,	:	
	:	
v.	:	
	:	
U.S. ATTORNEY GENERAL,	:	CIVIL ACTION NO.
et al.,	:	1:10-CV-0553-TWT
Defendants.	:	

**ORDER and OPINION**

Plaintiff, Prince Mujahid – “Kim Little c/o Prince Mujahid,” incarcerated at the Atlanta City Detention Center, in Atlanta, Georgia, seeks to file this civil rights action without prepayment of the filing fee, other fees, or security therefor, pursuant to 28 U.S.C. § 1915(a). (Doc. Nos. 1, 2.) It is apparent that Plaintiff is the same Kim Little who previously has filed actions in this Court<sup>1</sup> and, to avoid confusion, the Clerk of Court is **DIRECTED** to adjust the docket to show Plaintiff as Kim Little, a.k.a., Prince Mujahid. Plaintiff brings this action against the United States Attorney

<sup>1</sup> See Little v. Bolden, 1:06-CV-0065-JTC (N.D. Ga. Oct. 16, 2006); Little v. Freeman, No. 1:06-CV-0917-JTC (N.D. Ga. July 14, 2006); Little v. Doe, 1:05-CV-0050-JTC (N.D. Ga. Feb. 1, 2005). See also Declaration in Support of Motion to Proceed In Forma Pauperis, filed January 2, 2008, Little, 1:05-CV-0050-JTC.

General, Eric Holder, Officer Johnson, Judge Deveaux, Chief Daggett, and Mrs. Bivens. Plaintiff complains that his access to legal material and legal assistance has been inadequate and/or denied while he has been in solitary confinement. (Doc. No. 1, "Statement of Claim.")

Section § 1915(g) of Title 28 does not allow a prisoner to bring an in forma pauperis civil action in federal court "if the prisoner has, on 3 or more prior occasions, while incarcerated . . . , 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." When § 1915(g) does not allow a prisoner to proceed in forma pauperis, the complaint should be dismissed without prejudice, and, a prisoner wishing to pursue his or her claims, must refile the action with full payment of the filing fee. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

Plaintiff, while incarcerated, has filed at least three civil actions that have been dismissed as frivolous, malicious, or for failure to state a claim. See Little v. Thomas, 1:07-CV-0873-WO (M.D.N.C July 3, 2008); Little, 1:06-CV-0065-JTC; Little, No. 1:06-CV-0917-JTC; Little, 1:05-CV-0050-JTC. Plaintiff alleges no action by

Defendants that places him in imminent threat of serious injury. Thus, this case is due to be dismissed.

**IT IS ORDERED** that Plaintiff is **DENIED** in forma pauperis status.

**IT IS FURTHER ORDERED** that the instant action is hereby **DISMISSED**  
**WITHOUT PREJUDICE.**

**IT IS SO ORDERED**, this 24 day of March, 2010.

  
\_\_\_\_\_  
THOMAS W. THRASH, JR.  
UNITED STATES DISTRICT JUDGE