

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>GREGORY TURLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 08-cv-007-MJR</b>
	)	
<b>DANNY BEDINGER, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**REAGAN, District Judge:**

On August 14, 2008, the Court revoked Plaintiff's pauper status upon a finding that, prior to filing this action, he had accumulated three or more strikes; Plaintiff was directed to pay the full \$350 filing fee within 15 days (*see* Doc. 6). Rather than comply with that order, Plaintiff filed a notice of appeal (Doc. 7), accompanied by a motion to proceed *in forma pauperis* on appeal (Doc. 8) and a motion to consolidate this action with another for purposes of appeal (Doc. 9).

The Court previously found that Plaintiff has accumulated three or more strikes: *Turley v. Cowan*, Case No. 01-cv-188-MJR (S.D. Ill., filed March 26, 2001); *Turley v. Smith*, Case No. 02-cv-4592 (N.D. Ill., filed June 27, 2002); *Turley v. Catchings*, Case No. 03-cv-8492 (N.D. Ill., filed Dec. 3, 2003). *See generally* *George v. Smith*, 507 F.3d 605, 607-08 (7<sup>th</sup> Cir. 2007); *Bouriboune v. Berge*, 391 F.3d 852, 855 (7<sup>th</sup> Cir. 2004). The Court also found that Plaintiff's fact allegations in the instant action do not indicate that he is under "imminent danger of serious physical injury." Consequently, Plaintiff may not proceed *in forma pauperis*, and his motion seeking such leave (Doc. 8) is **DENIED**. Plaintiff shall tender the appellate filing and docketing fee of \$455 to the Clerk of Court

in this district, or he may reapply to the Seventh Circuit Court of Appeals for leave to proceed *in forma pauperis* on appeal.

As for consolidation of appeals, that question is within the discretion of the Seventh Circuit Court of Appeals, not this Court. Accordingly, the motion seeking consolidation (Doc. 9) is **MOOT.**

**IT IS SO ORDERED.**

**DATED this 3<sup>rd</sup> day of September, 2008.**

**s/ Michael J. Reagan**  
**MICHAEL J. REAGAN**  
**United States District Judge**