

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

DANIEL JOSEPH PARRISH-PARRADO,

Plaintiff,

vs.

CIVIL ACTION  
No. 11-3027-SAC

SAM BROWNBACK, et al.,

Defendants.

MEMORANDUM AND ORDER

By its order of February 15, 2011 (Doc. 4), the court determined this matter is subject to the provisions of 28 U.S.C. §1915(g), the "three strikes" provision of the Prison Litigation Reform Act. Plaintiff was granted thirty days to submit the full filing fee, and he was notified that the failure to pay the fee within that time would result in the dismissal of this matter without prejudice.

Since that time, plaintiff has not submitted the filing fee, nor has he shown that he is in imminent danger of serious bodily harm, as he must to avoid the bar imposed by 28 U.S.C. §1915(g).<sup>1</sup>

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28 U.S.C. § 1915(g) codifies the "three strikes" rule that bars an inmate who has had three prior actions or appeals dismissed as frivolous, malicious, or for failing to state a

Accordingly, the court concludes this matter must be dismissed without prejudice.

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed without prejudice due to plaintiff's failure to submit the full filing fee as directed.

IT IS FURTHER ORDERED plaintiff's motion for removal (Doc. 3) is denied as moot.

A copy of this Memorandum and Order shall be transmitted to the plaintiff.

**IT IS SO ORDERED.**

DATED: This 22<sup>nd</sup> day of March, 2011, at Topeka, Kansas.

S/ Sam A. Crow  
SAM A. CROW  
United States Senior District Judge

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viable claim from proceeding in a civil action *in forma pauperis* "unless the prisoner is in imminent danger of serious physical injury."