

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

LLOYD A. RICHARD

CIVIL ACTION

VERSUS

NUMBER: 13-4717

JOSEPH C. WILKINSON, JR.,
ET AL.

SECTION: "J"(5)

ORDER AND REASONS

Pursuant to 28 U.S.C. §636(b) and Local Rules 72.1(B)(1) and 73.2(A), presently before the Court is the 28 U.S.C. §1915 application to proceed in forma pauperis which accompanied the 42 U.S.C. §1983 complaint of pro se plaintiff, Lloyd A. Richard. Subsection "g" of §1915 provides as follows:

[i]n 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.

A review of the records of this and other courts reveals that Richard has had three lawsuits/appeals that were previously

dismissed as frivolous and/or for failing to state a claim upon which relief can be granted. Richard v. Steib, 451 Fed.Appx. 381 (5th Cir. 2011), cert. denied, ___ U.S. ___, 132 S.Ct. 2715 (2012); Richard v. Kinler, No. 08-CV-4251, 2008 WL 4809472 (E.D. La. Oct. 31, 2008); Richard v. Hubert, No. 99-CV-0297 (W.D. La. July 29, 1999). Accordingly, and because Richard makes no showing of being under imminent danger of serious physical injury, his application to proceed in forma pauperis is denied.

New Orleans, Louisiana, this 10th day of June, 2013.


UNITED STATES MAGISTRATE JUDGE