

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ROBERT POOLER (#234804)

CIVIL ACTION

VERSUS

BURL CAIN, WARDEN, ET AL.

NO. 10-0462-BAJ-CN

O R D E R

This matter comes before the Court on the plaintiff's Motion for Relief From Judgment, rec.doc.no. 5, brought pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. Upon a review of the plaintiff's contentions, it appears that the plaintiff is merely re-stating arguments previously made herein and that there is no legal or factual basis for the relief prayed for. The Court properly found on initial review that the plaintiff is not entitled to avail himself of the statutory exception to the "three strikes" provision of 28 U.S.C. § 1915(g), for prisoners under "imminent danger of serious physical injury". Accordingly, the Court will not revisit this determination. Therefore,

IT IS ORDERED that the plaintiff's Motion for Relief From Judgment, rec.doc.no. 5, be and it is hereby **DENIED**.

Baton Rouge, Louisiana, this 6 day of August, 2010.



BRIAN A. JACKSON
UNITED STATES DISTRICT JUDGE