

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

STEPHEN MURPHY

VERSUS

CIVIL ACTION

GULF OF MEXICO OIL SPILL RESPONSE

NUMBER 11-23-RET-SCR

RULING

Pro se plaintiff, an inmate confined at Feliciana Forensic Facility, Jackson, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against Gulf of Mexico Oil Spill Response. Plaintiff alleged that since 1990 he has been under attack by airships dumping toxic waster on him.


On January 12, 2011, the plaintiff's motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 was denied because on three prior occasions during detention, the plaintiff brought an action that was dismissed as frivolous or for failure to state a claim upon which relief can be granted.¹ Plaintiff was granted 20 days from the date of the order to pay the court's filing fee in the amount of \$350.00.

A review of the record showed that the plaintiff failed to pay the filing fee. Therefore, the plaintiff's § 1983 complaint shall be dismissed without prejudice.

¹ Section 1915(g) contains an exception that allows prisoners whose privileges have been revoked to proceed in forma pauperis in cases involving imminent danger of serious physical injury. Plaintiff's claims do not fall under the exception.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, March 15, 2011.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA