

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ANTHONY C. SMITH

VERSUS

CIVIL ACTION

THE UNITED STATES, ET AL

NUMBER 12-330-JJB-SCR

RULING

Pro se plaintiff, while an inmate confined at East Baton Rouge Parish Prison, Scotlandville, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against the United States, the Nineteenth Judicial District Court, Nineteenth Judicial District Court Judge Bonnie Jackson, an unidentified district attorney, the State of Louisiana, East Baton Rouge Parish and the City of Baton Rouge. Plaintiff alleged that he was arrested and charged with aggravated second degree battery and aggravated battery more than seven months ago. Plaintiff alleged that the defendants have had ample time to investigate the charges and determine whether he was armed with a dangerous weapon. Plaintiff alleged that he was not appointed an attorney and no witness has testified against him.

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

¹ Section 1915(g) contains an exception that allows prisoners whose privileges have been revoked to proceed in forma pauperis in

On June 12, 2012, the plaintiff was granted 21 days from the date of the order to pay the court's filing fee in the amount of \$350.

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.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, August 22nd, 2012.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE

cases involving imminent danger of serious physical injury. Plaintiff's claims do not fall under the exception.