

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RONALD DUGAS (#615147)

VERSUS

CIVIL ACTION

SAMMIE JOHNSON, ET AL

NUMBER 12-659-JJB-SCR

ORDER DENYING MOTION TO PROCEED IN FORMA PAUPERIS

Pro se plaintiff, an inmate confined at Hunt Correctional Center, St. Gabriel, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against Louisiana State Penitentiary corrections officer Sammie Johnson and the Louisiana Department of Public Safety and Corrections. Plaintiff alleged that on April 3, 2010, while confined at the state penitentiary he was subjected to unconstitutional conditions of confinement which caused him to slip and fall, injuring his back. Plaintiff further alleged that Capt. Donnie Sullivan and Lt. Jamie Savoy committed malfeasance when they altered numbers on an Administrative Remedy Procedure waiver form.

Plaintiff filed a Motion to Proceed In Forma Pauperis. Record document number 2.

Plaintiff previously alleged essentially the same facts in *Ronald Dugas v. James M. LeBlanc, et al*, CV 11-457-BAJ-DLD, which was dismissed for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e, with prejudice to his refiling the same claims in forma pauperis. Plaintiff cannot overcome the in forma pauperis bar imposed in CV 11-457-BAJ-DLD by bringing

additional claims and defendants in this action.

Therefore;

IT IS ORDERED that the plaintiff's Motion to Proceed In Forma Pauperis is denied.

IT IS FURTHER ORDERED that the plaintiff is granted 21 days from the date of this order to pay the court's filing fee in the amount of **\$350**.

The filing fee must be paid in full in a single payment. No partial payment of fees will be accepted. Failure to pay the filing fee within 21 days shall result in the dismissal of the plaintiff's complaint without prejudice.

Baton Rouge, Louisiana, October 30, 2012.



STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE