

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

STEPHEN MURPHY (#34877)

CIVIL ACTION

VERSUS

UNITED STATES CO[A]ST GUARD, ET AL.

NO. 15-690-SDD-SCR

**ORDER TO PAY FULL FILING FEE**

Before the Court is a Complaint filed by *pro se* plaintiff Stephen Murphy, submitted on a form intended for filing claims based on the violation of constitutional civil rights pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate incarcerated at the Caddo Correctional Center, Shreveport, Louisiana, and he named as defendants the United States Coast Guard, the Los Angeles County Sheriff's Department, and numerous additional defendants, most of whom are identified only by telephone numbers. Plaintiff alleged that he learned that an unspecified homeless shelter forced people to ingest anti-depressants and psychotropic medications upon threat of being committed to an institution or being made to "sleep on the street." Plaintiff also complained of "a failure to fight a legal battles in my defense, false imprisonment [sic], medical malpraice [sic] [and] for being in a nuclar [sic] war zone without pay." Plaintiff sought an award of monetary damages.

Plaintiff neither paid the Court's filing fee nor submitted a properly completed motion to proceed *in forma pauperis*.

Plaintiff is not entitled to proceed *in forma pauperis*. The

applicable statute, 28 U.S.C. § 1915(g), provides, in relevant part, as follows:

In 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.

See also *Adepegba v. Hammons*, 103 F.3d 383 (5th Cir. 1996).

Plaintiff has, on three or more prior occasions while incarcerated, brought actions or appeals in the federal courts that have been dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> Accordingly, the plaintiff is barred from proceeding *in forma pauperis* in this case,<sup>2</sup> and he is required to pay the full amount of the Court's filing fee, without the benefit of periodic installment payments.

Therefore;

IT IS ORDERED that the plaintiff is granted 21 days from the date of this Order within which to pay \$400.00, the full amount of the Court's filing fee. The filing fee must be paid in full in a

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1. Cases filed by the plaintiff that have been dismissed by the federal courts as frivolous, malicious, or for failure to state a claim include, but are not limited to, *Stephen Murphy v. George W. Bush*, Civil Action No. 02-358 (W.D. La.), *Stephen Murphy v. Donald Walter, et al.*, Civil Action No. 02-548 (W.D. La.), and *Stephen Murphy v. Northwest Airlines, et al.*, Civil Action No. 02-549 (W.D. La.).

2. The allegations in the plaintiff's Complaint do not fall within the exception to the statute.

single payment. No partial payments will be accepted. Failure to pay the Court's filing fee within 21 days shall result in the dismissal of the plaintiff's action without further notice from the Court.

Baton Rouge, Louisiana, October 27, 2015.

A handwritten signature in blue ink that reads "Stephen C. Riedlinger". The signature is written in a cursive style and is positioned above a solid horizontal line.

STEPHEN C. RIEDLINGER  
UNITED STATES MAGISTRATE JUDGE