

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

CHRISTOPHER GEORGE WILEY

VERSUS

JOHN BEL EDWARDS, JR., ET AL.

CIVIL ACTION

NO. 16-287-JJB-RLB

ORDER

This matter comes before the Court on the plaintiff's Motion to Proceed In Forma Pauperis. (R. Doc. 2).

The pro se plaintiff, a person presently confined at Beacon Behavioral Hospital, Litcher, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against John Bel Edwards, Jr., Margaret Dumas Mental Health System, the State of Louisiana, and "Rule Security 35 Washington D.C.," asserting that his constitutional rights have been violated in an unspecified manner.

The statute applicable to the granting by federal courts of in forma pauperis status to inmates in civil proceedings makes clear that the plaintiff is not entitled to proceed as a pauper in this case. 28 U.S.C. § 1915(g) provides:

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.

A review of the records of this Court reflects that the plaintiff has, on three or more prior occasions while incarcerated, brought actions or appeals in the federal court that have been

dismissed as frivolous, malicious, or for failure to state a claim.¹ Accordingly, because the plaintiff is barred from proceeding in forma pauperis in this case,² he is required to pay the full amount of the Court's filing fee. Therefore:

IT IS ORDERED that the plaintiff's Motion to Proceed in Forma Pauperis (R. Doc. 2) is denied.

IT IS FURTHER ORDERED that the plaintiff is granted twenty-one (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 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.

Signed in Baton Rouge, Louisiana, on May 16, 2016.



RICHARD L. BOURGEOIS, JR.
UNITED STATES MAGISTRATE JUDGE

¹ A list of cases dismissed as frivolous or failure to state a claim include: Christopher G. Wiley v. C.M. Lensing, et al, CV 96-453 (M.D. La.); Christopher George Wiley v. Louisiana State Penitentiary, CV 96-454 (M.D. La.); Christopher George Wiley v. Richard Ieyoub, CV 99-644 (M.D. La.); Christopher G. Wiley v. Judge Janice Clark, et al, CV 00-420 (M.D. La.); Christopher G. Wiley v. Office of Family Support, et al, CV 01-308 (M.D. La.); and Christopher G. Wiley, III v. Social Security Administration, et al, CV 07-692 (M.D. La.).

² The Court finds that the allegations of the plaintiff's Complaint do not fall within the exception to the statute.