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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

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ALLEN ALPHONZO ADAMS
a.k.a. ALLEN ALPHONSO ADAMS

DOCKET NO. 15-CV-1075; SEC. P

VERSUS

JUDGE DRELL

SALIM BEASLEY, ET AL.

MAGISTRATE JUDGE KIRK

MEMORANDUM ORDER

Pro se Plaintiff Allen Alphonzo Adams filed the instant civil rights complaint (42 U.S.C. §1983) on April 6, 2015¹. Plaintiff was granted leave to proceed *in forma pauperis* on May 8, 2015. [Doc. #13] Plaintiff is an inmate in the custody of the Georgia Department of Corrections, incarcerated at Hays State Prison in Triton, Georgia. He names as defendants several attorneys in Louisiana and Texas. Plaintiff claims that the defendants embezzled money from his parents' civil settlement.

Plaintiff has filed numerous civil cases and appeals in the United States courts, at least three of which were dismissed as frivolous, malicious, or for failing to state a claim for which relief can be granted.² 28 U.S.C. §1915(g) provides:

¹Although Plaintiff files this complaint under §1983, he has not alleged the violation of a constitutional right by a state actor, nor has he identified any state actors as defendants.

²Adams v. Hart, 5:11-cv-436 (M.D.Ga. Nov. 8, 2011)(dismissed for failure to state a claim); Adams v. Hart, Appeal No. 11-15605-C (11th Cir. March 27, 2012)(dismissed as frivolous); Adams v. Wesley, 1:11-cv-155 (M.D.Ga.), Appeal No. 12-13063-A (11th Cir. Jan 7, 2013)(dismissed as frivolous); Adams v. Burnside, 1:13-cv-8 (M.D.Ga. Feb. 11, 2014)(dismissed for failure to state a claim), Appeal No. 14-11045 (11th Cir. Sept. 16, 2014)(dismissed as frivolous); see also Adams v. Perry, 5:13-cv-272 (M.D. Ga. August 8, 2013)(dismissing pursuant to 28 U.S.C. §1915(g)).

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.*

Because Plaintiff is not in "imminent danger of serious physical injury," and because Plaintiff has previously filed numerous suits dismissed as frivolous, malicious, or failing to state a claim upon which relief may be granted, Plaintiff is not entitled to proceed *in forma pauperis*.

Therefore, the Order granting Plaintiff's motion to proceed *in forma pauperis* [Doc. #13] is hereby **REVOKED** and **RESCINDED**;

IT IS FURTHER ORDERED that in order for this complaint to remain viable, **Plaintiff must pay the full filing fee of four hundred dollars (\$400.00) within twenty (20) days from the date of this order. FAILURE TO PAY THE FULL FILING FEE WILL RESULT IN THE PLEADINGS BEING STRICKEN FROM THE RECORD.**

THUS DONE AND SIGNED at Alexandria, Louisiana this 2nd day of June, 2015.



JAMES D. KIRK
UNITED STATES MAGISTRATE JUDGE