

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL MOMENT, #454279; 1109451,

*

Plaintiff,

*

*

v.

*

Civil Action No. PWG-17-786

*

J. PHILIP MORGAN, Warden,

*

*

Defendant.

*

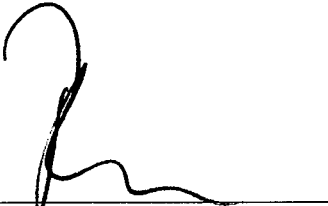
MEMORANDUM OPINION

Plaintiff Michael Moment filed this Complaint with a Motion to Proceed in Forma Pauperis on March 10, 2017. ECF Nos. 1, 2. Moment states he was transferred to the Maryland Correctional Institution-Jessup on February 28, 2017, and has since filed two Administrative Remedy Procedure (“ARP”) requests informing Defendant that he is illegally incarcerated. Compl. 3. Moment states that he was told that this issue was not “grievable” in an ARP. *Id.* Further, he avers that nobody would sign his second ARP request. *Id.* As relief, Moment requests a hearing and \$7 million. *Id.*

Moment has accumulated “three strikes” under the provisions of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g), and is barred from filing cases unless he pays the filing fee or demonstrates that he is in “imminent danger of serious physical injury.” *Id.*; see also *Moment v. Dwight Dave Jackson*, Civil Action No. PWG-16-4040 (D. Md. February 15, 2017) (assigning Moment’s third “strike” under 28 U.S.C. § 1915(g)); *Moment v. Danai*, Civil Action No. PWG-16-3976 (D. Md. February 15, 2017) (assigning Moment’s second “strike” under 28 U.S.C. §1915(g)); *Moment v. Mortel*, Civil Action No. PWG-16-3966 (assigning Moment’s first “strike” under 28 U.S.C. § 1915(g)).

Moment's allegations fail to suggest that he is in imminent danger of serious physical injury, and he is therefore not excused him from paying the \$400.00 filing fee. Accordingly, this case will be dismissed without prejudice pursuant to 28 U.S.C. §1915(g) by separate order.

March 20, 2017
Date



Paul W. Grimm
United States District Judge