

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KEITH HENDERSON25,

Plaintiff,

v.

TIMOTHY HARDIRICK, et al.,

Defendant.

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C.A. No. 18-10751-ADB

ORDER

BURROUGHS, D.J.

On April 16, 2018, plaintiff Keith Henderson25, while an inmate in custody at the Early County Jail Facility in Blakely, Georgia, filed a *pro se* civil complaint. *See* Complaint (“Compl.”), Dkt. No. 1. Plaintiff’s complaint seeks monetary damages and names seventeen defendants including judges, court clerks, sheriffs, correctional staff and others. *Id.* None of the defendants or events are alleged to be in Massachusetts. *Id.* As to the Early County Jail, plaintiff’s allegations concern the conditions at the jail (black mold) and allegations that he was denied medical care for migraine headaches, dizziness and shortness of breath. *Id.* at p. 6. The complaint includes allegations that there was a conspiracy to murder him while he was at a Georgia State Prison and that he had been subjected to mistreatment while incarcerated at the Georgia State Prison, Hay State Prison, Baldwin State Prison, Wheeler Stat prison and Valdosta State Prison. *Id.* at p. 7.

Plaintiff¹ did not pay the filing fee nor seek to proceed *in forma pauperis*. See Docket. A search of the federal Judiciary's Public Access to Court Electronic Records (PACER) service reveals that plaintiff previously accumulated three-strikes under the Prison Litigation Reform Act. See *Henderson v. Thrash*, No. 14–202–NT, 2014 WL 2944065, at *1 (D. Me. June 30, 2014) (plaintiff’s “status as a three-strikes plaintiff cannot seriously be disputed.”). Here, plaintiff may not proceed *in forma pauperis* because he has accumulated “three-strikes” and he is not under threat of imminent danger in regards to the misconduct alleged in his complaint.

In an effort to confirm plaintiff’s custody status, a clerk contacted the Early County Jail and was advised that plaintiff was released on June 14, 2018. Plaintiff has failed to keep the court informed of his new address as required under this Court's local rules. See District of Massachusetts Local Rule 83.5.2(e) (requiring *pro se* litigants to notify the clerk of any change of address).

Accordingly:

1. This action is DISMISSED without prejudice to plaintiff re-filing this action provided he pay the \$350.00 filing fee at the time of filing a renewed complaint.
2. The Clerk shall enter a separate order of dismissal.

SO ORDERED.

July 20, 2018

/s/ Allison D. Burroughs
ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE

¹ Although plaintiff identifies himself in this action as Keith Henderson²⁵, he appears to be the same individual who previously filed lawsuits under the name Keith Henderson. In the complaint, plaintiff alleges that his “birth name” was stolen and that he was given “another name called Alan Henderson.” See Compl., p. 7.