

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHMOND BROWN TAYLOR, #224931,

Plaintiff,

v.

CASE NO. 5:16-CV-14156
HONORABLE JOHN CORBETT O'MEARA

MICHIGAN DEP'T OF CORR. et al.,

Defendants.

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OPINION AND ORDER OF SUMMARY DISMISSAL

I. Introduction

Michigan prisoner Richmond Brown Taylor (“Plaintiff”), currently confined at the Woodland Correctional Facility in Whitmore Lake, Michigan, has filed a pro se amended complaint, presumably pursuant to 42 U.S.C. § 1983, seeking to prevent prison officials/medical personnel from administering psychiatric medications to him. Plaintiff alleges no facts which show that he is taking, or will be forced to take, any such medications. Plaintiff names the Michigan Department of Corrections (“MDOC”), mental health services, the prison warden, prison medical personnel, the MDOC Director, and the Governor of Michigan as defendants in this action and seeks any appropriate relief.

Plaintiff has not paid the filing fee (\$350.00) or the administrative fee (\$50.00) for this action. He has submitted a prison trust fund account statement, but has not filed an application to proceed without prepayment of the filing fee. *See* 28 U.S.C. § 1915. The Court shall construe his pleadings as a request to proceed in forma pauperis, *i.e.*, without prepayment of the fees, for this case. *See Sango v. Grand*, No. 2:14-CV-14060, 2014 WL 5511812, *1 (E.D. Mich. Oct. 31, 2014); *Corrion v. State Treasurer*, No. 2:12-CV-15101, 2012 WL 5990119, *1 (E.D. Mich. Nov. 30, 2012).

II. Discussion

Plaintiff has been a frequent filer of civil rights complaints in this District and is a three-striker under 28 U.S.C. § 1915(g) who is not allowed to proceed in forma pauperis in federal court under most circumstances. In 2006, District Judge Patrick J. Duggan reviewed Petitioner's history of filing frivolous complaints in this District and enjoined him from filing future complaints without obtaining prior leave of court. *See Taylor v. Ku Klux Klan, et al.*, No. 2:06-CV-11623 (E.D. Mich. April 7, 2006) (citing three cases which have been dismissed as frivolous or for failure to state a claim upon which relief may be granted and dismissing complaint). Plaintiff did not obtain leave of court before filing his complaint as required by the Court's order. Consequently, the Court finds that Plaintiff is barred from initiating this action such that his complaint must be dismissed.

III. Conclusion

For the reasons stated, the Court concludes that Petitioner is enjoined from filing a complaint in this District without obtaining prior leave of court and that he has failed to do so in this case. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** his complaint. The Court makes no determination as to any request to proceed without prepayment of the filing fee. Lastly, the Court concludes that an appeal from this order would be frivolous and cannot be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

s/John Corbett O'Meara
United States District Judge

Date: December 7, 2016

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 7, 2016, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager