

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAMIEN DERRELL LINDSAY

PLAINTIFF

v.

CIVIL ACTION NO. 1:22-cv-00273-TBM-RPM

UNKNOWN FOX, et al.

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court *sua sponte* for consideration of dismissal. Pursuant to the Memorandum Opinion and Order of Dismissal issued this date and incorporated herein by reference,

IT IS, HEREBY, ORDERED AND ADJUDGED that this civil action is **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

IT IS, FURTHER, ORDERED AND ADJUDGED that this dismissal counts as a “strike” under 28 U.S.C. § 1915(g). *See Washington v. Collier*, 747 F. App’x 221, 223 (5th Cir. 2018). Plaintiff Damien Derrell Lindsay is advised that, if he receives three strikes, “he may not proceed [*in forma pauperis*] in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury.” *See Adongo v. Tex.*, 124 F. App’x 230, 232 (5th Cir. 2005) (citing 28 U.S.C. § 1915(g)).

SO ORDERED AND ADJUDGED, this 23rd day of December, 2022.



TAYLOR B. McNEEL

UNITED STATES DISTRICT JUDGE