

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ROBERT BELL, JR.,)
Plaintiff,)
v.)
GEORGE A. LOMBARDI, et al.,)
Defendants.)
No. 1:12CV121 LMB

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. The motion will be denied, and the case will be dismissed without prejudice.

Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief can be granted.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff “is under imminent danger of serious physical injury.”

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. In fact, the majority of the instant complaint was previously filed by plaintiff as a proposed amended complaint in October 2011 in Bell v. Stange, 1:11-CV-91 SNLJ (E.D. Mo.). As a result, the motion will be denied, and the Court will dismiss this action without prejudice to refiling as a fully-paid complaint.

Accordingly,

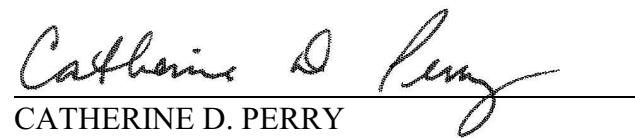
¹Bell v. Rigel, 4:04-CV-706 HEA (E.D. Mo.); Bell v. Steele, 1:06-CV-144 LMB (E.D. Mo.); Bell v. Steele, 1:07-CV-25 LMB (E.D. Mo.).

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. 2] is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to refiling as a fully-paid complaint.

An Order of Dismissal will be filed with this Memorandum and Order.

Dated this 6th day of September, 2012.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE