

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

GARY BICE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:15CV9 SNLJ
	)	
ANDREA BETH COTNER,	)	
	)	
Defendant,	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff’s motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> 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. As a result, the Court will deny the motion and will dismiss this action without prejudice to refile as a fully paid complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff’s motion for leave to proceed in forma pauperis [ECF No. 2] is **DENIED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED** without prejudice.

Dated this 26<sup>th</sup> day of January, 2015.

  
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 STEPHEN N. LIMBAUGH, JR.  
 UNITED STATES DISTRICT JUDGE

<sup>1</sup> Bice v Eastest, 1:13CV181 SNLJ (E.D. Mo.); Bice v. Comm’n or Directors of Cape Girardeau City Police Dep’t, 1:11CV27 SNLJ (E.D. Mo.); Bice v. Ester, 1:10CV93 SNLJ (E.D. Mo.).