

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

| | | |
|-------------------------|---|---------------------|
| SOLOMAN SEALES, JR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:12CV01149 ERW |
| |) | |
| JOAN M. GILMER, et al., |) | |
| |) | |
| Defendants. |) | |

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.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.”

¹See Seales v. Purkett, 99-CV-4050-NKL (W.D. Mo.)(denying plaintiff in forma pauperis status on the basis of his three-strikes status and dismissing case under 28 U.S.C. § 1915(g)) (citing Seales v. Goose, 95-CV-4187-SOW (W.D. Mo.) ; Seales v. Moorish Science Temple, Case No. 95-CV-4246-SOW (W.D. Mo.); Seales v. Goose, No. 96-4053 (W.D.Mo.); Seales v. Goose, No. 96-4232 (W.D.Mo.)); see also Seals v. Kemna, 98-CV-6153- HFS (W.D. Mo.); Seales v. Kemna, Case No. 98-6157-HFS (W.D. Mo.).

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.

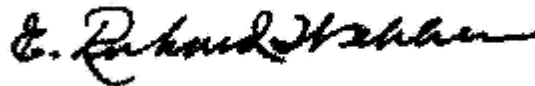
Accordingly,

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

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal will accompany this Memorandum and Order.

So Ordered this 5th day of July, 2012.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE