

No. 4:14-CV-68-RWS

This matter is before the Court on plaintiff’s motion for leave to proceed in forma pauperis [Doc. #2]. Plaintiff, an inmate at the Philadelphia-FDC in Pennsylvania 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 was “under imminent danger of serious physical injury” at the time the complaint was filed. See Martin v. Shelton, 319 F.3d 1048, 1050 (8th Cir. 2003) (imminent danger of serious physical injury must exist at the time the complaint is filed).

After reviewing the complaint, the Court finds no allegations indicating that plaintiff was in imminent danger of serious physical injury when he filed his complaint.² As a result, the Court will deny the motion for leave to proceed in forma pauperis and will dismiss this action without prejudice to refiling 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).

A separate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 17th day of January, 2014.


UNITED STATES DISTRICT JUDGE

²For relief, plaintiff seeks \$1.2 trillion dollars. To the extent that one can be discerned, the theme of the complaint appears to be that a United States congressman, the Attorney General of Pennsylvania, the "U.S. Attorney of PA," a federal detention center, and a federal district court are corrupt and that defendants have harmed plaintiff through their breach of contract and "inhumane detention" of plaintiff. Plaintiff's rambling, disjointed allegations are legally frivolous and delusional.