

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

JOHN ROBERT DEMOS, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 4:16CV613 AGF
)	
EXPRESS SCRIPTS HOLDING, 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.”

After carefully reviewing the complaint, the Court finds no allegations that show plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and dismiss this action without prejudice to refiling as a fully-paid complaint.

Accordingly,

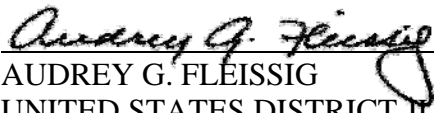
IT IS HEREBY ORDERED that plaintiff’s motion for leave to proceed in forma pauperis [Doc. #2] is **DENIED**.

¹ See *Demos, Jr. v. John Doe*, 4:94-CV-1540 GFG (E.D.Mo. Dec. 7, 1994); *Demos, Jr. v. Anheuser Busch Brewery*, 4:94-CV-1962 WSB (E.D.Mo. Dec. 7, 1994); *Demos, Jr. v. John Doe*, 4:94-CV-2400 DDN (E.D.Mo. Jan. 30, 1995). Additionally, a review of the United States Party/Case Index reveals that plaintiff has filed a multiplicity of frivolous actions in numerous District and Circuit Courts across the nation. See, e.g., *Demos v. Gov. of South Dakota*, 03-4149 (D.S.D. 2003) (noting that plaintiff has been sanctioned in several Circuits and by the Supreme Court for frivolous filings).

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

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

Dated this 5th day of May, 2016.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE