

FILED

JAN 02 2014

Clerk, U.S. District Court
District Of Montana
Missoula

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

YOUNG YIL JO,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00314-M-DWM-JCL

ORDER

Plaintiff Young Yil Jo, an inmate incarcerated in the Etowah County Detention Center in Gadsden, Alabama, proceeding without counsel, filed an incoherent one-page complaint on December 30, 2013. (Doc. 1.) Although Yil Jo does not appear to have a relationship to Montana, this is his twentieth lawsuit filed in this district. As with his previous lawsuits, Yil Jo did not pay the \$400.00 filing fee and did not submit an application to proceed in forma pauperis. Because this action is subject to dismissal pursuant to 28 U.S.C. § 1915(g), the Court will not direct Yil Jo to pay the fee or file a motion for leave to proceed in forma pauperis.

Under the “3-strikes” provision of 28 U.S.C. § 1915(g), a prisoner may not

bring a civil action in forma pauperis if, while incarcerated, he brought three or more civil actions or appeals that were dismissed as frivolous, malicious, or fails to state a claim upon which relief may be granted, unless he is under imminent danger of serious physical injury. Yil Jo has filed several hundred civil actions throughout the country which have been dismissed as frivolous, malicious, or for failure to state a claim. He has received three strikes in at least two federal district courts.¹

Yil Jo has far exceeded the three “strikes” allowed by the Prison Litigation Reform Act and therefore cannot proceed in forma pauperis unless he is in “imminent danger of serious physical injury.” The allegations in the Complaint do not support a finding that Yil Jo is in “imminent danger of serious physical injury.” Ordinarily litigants are given a period of time to pay the \$400.00 filing fee, but Yil Jo will not be allowed to do so given his abusive litigation practices.

Based upon the foregoing, the Court issues the following:

ORDER

Yil Jo will not be allowed to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(g). The Clerk of Court is directed to close the case and enter

¹ See *Yil Jo v. Six Unknown Named Agents*, No. CV-11-1963-RSM (W.D. Wash., Mar. 26, 2012); *Yil Jo v. Six Unknown Named Agents*, No. CV-12-76-JLR (W.D. Wash, Mar. 9, 2012); *Yil Jo v. Six Unknown Named Agents*, No. CV-11-2159-JLR (W.D. Wash., Feb. 21, 2012); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-00005 (E.D. Ca. Jan. 16, 2008); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-00031 (E.D. Ca. Jan. 16 2008); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-1260 (E.D. Ca. Aug. 29, 2008); *Jo v. Six Unknown Named Agents*, 1:08-CV-1254 (E.D. Ca. Sept. 9, 2008).

judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED this 2nd day of January, 2014



Donald W. Molloy, District Judge
United States District Court

