



determined that Plaintiff brought three cases,<sup>1</sup> while incarcerated, that were dismissed because they failed to state a claim upon which relief could be granted.<sup>2</sup>

Plaintiff has not shown that these cases state a claim upon which relief may be granted, nor has he shown that he faces any danger of physical injury. Thus, Plaintiff is not entitled to proceed IFP on appeal. Moreover, Plaintiff has not paid the \$455.00 filing fee, and his appeal cannot be processed.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed IFP (Filing No. [30](#)) is denied;
2. The Clerk of the court shall not process the appeal to the Eighth Circuit; and
3. The Clerk of the court is directed to forward a copy of this Memorandum and Order to the Eighth Circuit Court of Appeals.

DATED this 12<sup>th</sup> day of March, 2013.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge

---

<sup>1</sup> *Castonguay v. Douglas Cnty. Attorney Office*, No. 8:09CV392 (D. Neb.), dismissed on April 9, 2010. (Case No. 8:09CV392, Filing Nos. [11](#) and [12](#).) *Castonguay v. Douglas Cnty. Corr. Center*, No. 8:09CV225 (D. Neb.), dismissed on November 3, 2009. (Case No. 8:09CV225, Filing Nos. [14](#) and [15](#).) *Castonguay v. State of Neb.*, No. 8:09CV221 (D. Neb.), dismissed on November 3, 2009. (Case No. 8:09CV221, Filing Nos. [15](#) and [16](#).)

<sup>2</sup>The court takes judicial notice of the fact that Plaintiff has previously been informed of [§ 1915\(g\)](#)'s requirements. (See Case No. 4:10CV3207, Filing No. [20](#).)

---

\*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.