

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER SANDERS,)	
)	
Plaintiff,)	8:17CV307
)	
v.)	
)	
WARDEN HAZLWOOD, Warden;)	MEMORANDUM
NO NAME, Warden; BARBARA)	AND ORDER
RICKARD, Warden; and UNITED)	
STATES OF AMERICA,)	
)	
Defendants.)	
)	

Plaintiff, an inmate at FCI-McDowell in West Virginia, has filed a Complaint under 42 U.S.C. § 1983. (Filing [1](#).) As set forth in the Prison Litigation Reform Act, a prisoner cannot:

bring a civil action . . . or proceeding [in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action . . . in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

[28 U.S.C. §1915\(g\)](#).

The following three cases brought by Plaintiff were dismissed as frivolous or for failure to state a claim:

•*Sanders v. United States*, Civ. A. No. 17-2909 (N.D. Ill. May 12, 2017) (dismissed as frivolous and for failure to state a claim);

•*Sanders v. United States*, Civ. A. No. 17-227 (E.D. Mo. Feb. 23, 2017) (dismissed as “legally frivolous”); and

•*Sanders v. United States*, Civ. A. No. 17-1110 (S.D. Tex. Apr. 27, 2017) (dismissed as frivolous).

See also Sanders v. United States, Civ. A. No. 17-252 (M.D. Fla. June 19, 2017) (treating plaintiff as a “three-striker”); *Sanders v. USA*, Civ. A. No. 17-509 (E.D. Ark. Aug. 15, 2017) (same); *Sanders v. United States*, Civ. A. No. 17-3255 (E.D. Pa. July 27, 2017) (same).

In light of the foregoing, the court will give Plaintiff 30 days in which to show cause for why this case should not be dismissed pursuant to the provisions of [28 U.S.C. 1915\(g\)](#). In the alternative, Plaintiff may pay the full \$400.00 filing and administrative fees. In the absence of good cause shown, or the payment of the necessary fees, this action will be dismissed.

IT IS THEREFORE ORDERED that:

1. Plaintiff has 30 days to either show cause for why this case should not be dismissed pursuant to 28 U.S.C. § 1915(g) or pay the court’s \$400.00 filing and administrative fees.

2. The clerk’s office is directed to set a pro se case management deadline in this matter with the following text: September 23, 2017: deadline for Plaintiff to show cause or pay fees.

DATED this 23rd day of August, 2017.

BY THE COURT:
s/ *Richard G. Kopf*
Senior United States District Judge