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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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VICTOR M. TAGLE, SR.,
Plaintiff,
v.
DHS/ICC INS., et al.,
Defendants.

Case No. 2:18-cv-00694-APG-CWH

ORDER

Pro se plaintiff Victor M. Tagle, Sr. submitted a civil-rights complaint under 42 U.S.C. § 1983 (ECF No. 1-1) and applications to proceed *in forma pauperis* (ECF Nos. 7, 9). He has an extensive history of filing civil actions in this court that are either malicious or that fail to state a claim,¹ so he is ineligible for pauper status unless he is “under imminent danger of serious physical injury.” See 28 U.S.C. § 1915(g) (a prisoner that has filed 3 or more cases that were dismissed for frivolity, maliciousness, or a failure to state a claim may not proceed *in forma pauperis* unless he is in imminent danger of serious injury); see also *Tagle v. Core Civic America*, No. 18-16377 (9th Cir. 2018) (where the Ninth Circuit concludes that the district court correctly determined that Tagle had three prior actions dismissed as frivolous, malicious, or for failure to state a claim pursuant to 28 U.S.C. § 1915(g)). Given Tagle’s current three-strikes status, the court will first review Tagle’s complaint to determine if he alleges imminent danger of serious physical injury.

¹ See *Tagle v. State of Nevada*, 2:15-cv-02083-RCJ-GWF (dismissed for failure to state a claim); *Tagle v. State of Nevada*, 2:15-cv-02358-MMD-PAL (dismissed for maliciousness and failure to state a claim); *Tagle v. State of Nevada*, 2:16-cv-00852-JAD-VCF (dismissed for maliciousness and failure to state a claim). The court takes judicial notice of the records in these cases.

1 Tagle alleges that he is imprisoned and faces murder from Mexican authorities on the sole
2 basis of serving as a United States Soldier. (ECF No. 1-1.) Tagle's complaint details an account
3 of becoming a conditional permanent resident in 1988, enlisting in the army in 1989, various
4 issues he encountered with DHS/INS, and a possible attempt to re-enlist in the army 1999. Tagle
5 further alleges that since attending his father's funeral in Mexico in 1993, he has faced death
6 threats from the Mexican authorities. Tagle requests that the court assist him with the issue of his
7 citizenship.

8 Having reviewed Tagle's complaint, the court finds Tagle does not allege imminent
9 danger of serious physical injury. As such, the court will deny Tagle's motions to proceed *in*
10 *forma pauperis*. Tagle must pay the \$400 filing fee in full before he may proceed with this
11 action. The court will deny all Tagle's other pending motion without prejudice for Tagle to
12 renew the motion after the matter of the filing fee is resolved.

13 IT IS THEREFORE ORDERED that Tagle's motions for leave to proceed *in forma*
14 *pauperis* (ECF Nos. 7, 9) are DENIED. Tagle must pay the filing fee in full by August 22, 2019.
15 Tagle is advised that failure to comply with this order will result in a recommendation that this
16 case be dismissed.

17 IT IS FURTHER ORDERED that Tagle's motion to reinstate his motion for a speedy
18 trial, hearing, and transportation (ECF No. 11) is DENIED without prejudice.

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20 DATED: July 22, 2019

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23 C.W. HOFFMAN, JR.
24 UNITED STATES MAGISTRATE JUDGE
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