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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ARTURO TORRES OCHOA,

Plaintiff,

v.

R. SPIERS, et al.,

Defendants.

Case No. 3:14-cv-00112-MMD-VPC

ORDER

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. Petitioner has not submitted an application to proceed *in forma pauperis*. However, on at least three occasions this Court has dismissed actions commenced by plaintiff while he was a prisoner because they were frivolous or malicious or because they failed to state a claim upon which relief can be granted.¹ Plaintiff cannot proceed *in forma pauperis* in this action unless he is in imminent danger of serious physical injury. See 28 U.S.C. § 1915(g). Plaintiff has not alleged, and the subject matter of this action does not indicate, that he is in imminent danger of serious physical injury. Plaintiff must pre-pay the filing fee in full.


It is therefore ordered that plaintiff shall pay the full filing fee of three hundred fifty dollars (\$350.00) within thirty (30) days of the date that this order is entered. Failure to comply with this order will result in the dismissal of this action.

¹See *Ochoa v. Cook*, 3:02-cv-00450-DWH-RAM; *Ochoa v. Willis*, 3:02-cv-00545-ECR-VPC; *Ochoa v. Putter*, 3:10-cv-00364-HDM-RAM.

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It is further ordered that the Clerk of the Court shall provide plaintiff with two (2) copies of this order. Plaintiff is ordered to make the necessary arrangements to have one (1) copy of this order attached to the check in the amount of the designated fee.

DATED THIS 4th day of March 2014.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE