

1 unless he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

2 In his complaint, Plaintiff appears to allege his dissatisfaction with the prison
3 food. (See generally ECF No. 1-1). The Court finds that these allegations fail to
4 plausibly allege that Plaintiff is in imminent danger of serious physical injury. See
5 *Andrews v. Cervantes*, 493 F.3d 1047, 1055 (9th Cir. 2007) (holding that the exception
6 to § 1915(g) applies if the complaint makes a plausible allegation that the prisoner faced
7 imminent danger of serious physical injury at the time of filing). To the extent that
8 Plaintiff is alleging that prison officials are poisoning his food, the Court notes that
9 Plaintiff has filed several complaints in the past making those same allegations and that
10 the Court finds that such allegations are delusional and factually frivolous. As such,
11 Plaintiff must pre-pay the \$400.00 filing fee in full.

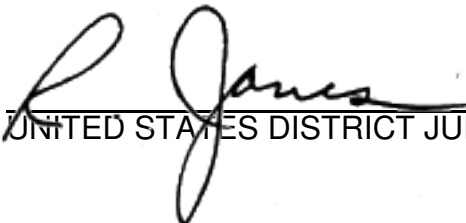
12 **II. CONCLUSION**

13 For the foregoing reasons, it is ordered that this action will be dismissed without
14 prejudice unless Plaintiff pays the \$400.00 filing fee in full within thirty (30) days of entry
15 of this order.

16 It is further ordered that the Clerk of the Court shall send Plaintiff two copies of
17 this order. Plaintiff shall make the necessary arrangements to have one copy of this
18 order attached to the check paying the filing fee.

19 It is further ordered that the Clerk of the Court shall retain the complaint (ECF No.
20 1-1).

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23 Dated: September 9, 2014.

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26 UNITED STATES DISTRICT JUDGE
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