

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Darries Sherrills, :
 :
Plaintiff : Civil Action 2:06-cv-00485
 :
v. : Judge Sargus
 :
Terry Collins, *et al.*, : Magistrate Judge Abel
Defendants :
 :

ORDER


Plaintiff Darries Sherrills's May 19, 2011 objections to the Court's May 16, 2011 Order advising Sherrills that if he wanted to file a new action based on an April 20, 2011 grievance regarding medical concerns, he should file a new lawsuit (doc. 72) is DENIED.

Sherrills now argues that he really does not have three strikes under 28 U.S.C. § 1915(g). This is a closed case. This Court dismissed the complaint January 9, 2007 after plaintiff Sherrills failed to pay the \$350 filing fee. The United States Court of Appeals for the Sixth Circuit later denied Sherrills's motion to proceed *in forma pauperis* because he has filed three previous frivolous suits and/or appeals.

On February 1, 2011, the Court denied Sherrill's belated motion challenging the judgment and the Court of Appeals' decision affirming it (doc. 57). Since then, Sherrills has repeatedly attempted to file new claims in this long closed lawsuit. If Sherrills believes he does not have three strikes, he should file a new lawsuit pleadings the claims that he now attempts to litigate, move to proceed *in forma pauperis*, and explain

why he has not had three lawsuits/ appeals dismissed for failure to state a claim/being frivolous.

The Clerk of Court is DIRECTED to accept no further filings in this lawsuit from Sherrills. Any future filings should docketed as received but returned to Sherrills with a copy of this Order.

 5-26-2011

Edmund A. Sargus, Jr.
United States District Judge