

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CALVIN CAMPS : CIVIL ACTION  
 :  
 v. :  
 :  
 CORRECTIONAL OFFICER, MS PIERCE, et al. : NO. 06-2262

M E M O R A N D U M

ROBERT F. KELLY, J. MAY , 2006

Plaintiff, an inmate, is seeking to bring a pro se 42 U.S.C. § 1983 civil rights action without prepayment of fees. He alleges that he was injured by Correctional Officer Pierce. He further alleges that he was given a "write up" by the defendants to cover up the facts of his injuries. He states that he received medical treatment for his injuries.

\_\_\_\_\_ Pursuant to 28 U.S.C. § 1915(g), a prisoner who on three or more prior occasions while incarcerated has filed an action in a federal court that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted, must be denied in forma pauperis status unless he is in imminent danger of serious physical injury at the time that the complaint is filed. Abdul-Akbar v. McKelvie, 239 F.3d 307 (3d Cir.), cert. denied, 533 U.S. 953 (2001).

Plaintiff has, prior to the instant action, filed four civil actions in a federal court which were dismissed as frivolous.<sup>1</sup>

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<sup>1</sup> The four civil actions filed by plaintiff were as follows: 1) Civil Action No. 95-2603 was dismissed as frivolous by Order of this Court filed May 8, 1995; 2) Civil Action No. 91-5807 was dismissed as frivolous by Order of this Court filed September 17, 1991; 3) Civil Action No. 91-5765 was dismissed as frivolous by Order of this Court filed September 16, 1991, and 4)

Furthermore, nothing in this complaint suggests that plaintiff is in imminent danger of serious physical injury. Accordingly, plaintiff's motion to proceed in forma pauperis will be denied.

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O R D E R

**AND NOW**, this                    day of May, 2006, in accordance with the accompanying memorandum, **IT IS ORDERED** that plaintiff's motion for leave to proceed in forma pauperis is **DENIED** pursuant to 28 U.S.C. § 1915(g).

**BY THE COURT:**

/S/ ROBERT F. KELLY, J.