

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

OSSIE ROBERT TRADER,	:	
	:	Civil Action No. 11-0039 (PGS)
Plaintiff,	:	
	:	
v.	:	ORDER
	:	
R.S., Deputy Clerk, et al.,	:	
	:	
Defendants.	:	CLOSED

For the reasons expressed in the Opinion filed herewith,

IT IS on this 29TH day of April, 2011,

ORDERED that the Clerk of the Court shall RE-OPEN the Docket in this matter by making an appropriate entry on the Docket; and it is further

ORDERED that Plaintiff's application to proceed in forma pauperis is hereby granted pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court shall file the Complaint without prepayment of fees or security; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b), the Clerk shall serve a copy of this Order by regular mail upon the U.S. Attorney for the Eastern District of Pennsylvania and the warden of the United States Penitentiary at Atlanta, Georgia; and it is further

ORDERED that the Complaint is DISMISSED WITH PREJUDICE, as frivolous and malicious and for failure to state a claim; and it is further

ORDERED that this dismissal shall count as a "strike" for purposes of 28 U.S.C. § 1915(g); and the Court further notes that Plaintiff has now incurred three or more "strikes" for purposes of 28 U.S.C. § 1915(g), see Carrasquillo v. Upton, Civil No. 09-0817 (E.D. Tex.); Trader v. Meehan, Civil No. 02-3791 (E.D. Pa.); Trader v. United States, Civil No. 10-1881 (D.D.C.); and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 which shall be deducted from Plaintiff's institutional account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 fee is paid, each month that the amount in Plaintiff's prison account exceeds \$10.00, the agency having custody of Plaintiff shall assess, deduct from his institutional account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's institutional account, with each payment referencing the civil docket number of this action; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(a)(3), any appeal of this Court's decision would not be taken in good faith; and it is further

ORDERED that the Clerk of the Court shall re-close the Court's file in this matter by making an appropriate notation on the docket.

s/Peter G. Sheridan
Peter G. Sheridan
United States District Judge
District of New Jersey
Sitting by Designation

April 29, 2011