

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBBIE THOMAS ,	:	CIVIL ACTION NO. 1:12-CV-1539
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
CHARLIE BRINICH, et al.,	:	
	:	
	:	
Defendants	:	

ORDER

AND NOW, this 11th day of September, 2012, upon consideration of plaintiff's recently filed civil rights action (Doc. 1), in which he seeks to proceed in forma pauperis (Doc. 2), and upon consideration of the fact that plaintiff has incurred three strikes under 28 U.S.C. § 1915(g), see Thomas v. Vuksta, No. 12-2612, 2012 WL 3055852 (3d Cir. July 27, 2012); Thomas v. McCoy, 467 F. App'x 94 (3d Cir. 2012); Thomas v. Vuksta, No. 1:11-CV-1089, 2012 WL 1902551 (M.D. Pa. May 25, 2012); see also Thomas v. McCoy, No. 1:10-CV-1639, 2011 WL 4411977, (M.D. Pa. Sept. 22, 2011), and it appearing that he alleges that while incarcerated at the State Correctional Institution at Mahanoy he suffered various acts of retaliation such as coercion, verbal harassment, interference with mail, issuance of false misconduct report against him, and the denial of stationary, and it further appearing that he does not demonstrate that a threat of danger is real and proximate and, therefore, his claim fails to meet the imminent danger exception, see Abdul-Akbar v. McKelvie, 239 F.3d 307, 312 (3d Cir. 2001)(*en banc*); Lewis v. Sullivan, 279 F.3d 526,

531 (7th Cir. 2002) (finding that the “imminent danger” exception is available “for genuine emergencies,” where “time is pressing” and “a threat . . . is real and proximate”), it is hereby ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (Doc. 2) is DENIED.
2. Plaintiff's complaint (Doc. 1) is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(g).
3. The Clerk of Court is directed to VACATE the administrative order (Doc. 6) and NOTIFY the warden at the State Correctional Institution at Mahanoy.
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge