

STEVEN DWAYNE GILBERT,
TDCJ 423646,
Plaintiff,

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versus

CIVIL ACTION H-15-1319

BRAD LIVINGSTON, *et al.*,
Defendants.

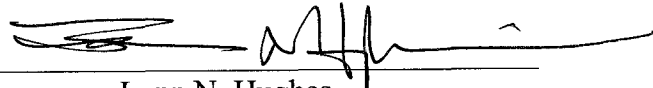
Opinion on Dismissal

Steven Dwayne Gilbert sues for civil rights violations. He is held in prison. Gilbert has not paid the filing fee. He has sued fourteen times in the federal courts in Texas. The district court dismissed three of his lawsuits as frivolous or for failure to state a claim. *See Gilbert v. Jasper County Law Enforcement Center*, No. 1:90-905 (E.D. Tx.); *Gilbert v. Livingston, et al.*, No. 4:15-370 (S.D. Tx.); and *Gilbert v. Stacks, et al.*, No. 9:05-cv-24 (E.D. Tx.). When Gilbert sued in those cases, he was in prison. The court had dismissed these other cases before Gilbert filed this case.

A prisoner may not bring a case in federal court as a pauper if, while in prison, he brought three actions that were dismissed as frivolous or for failure to state a claim, unless he is under imminent danger of serious physical injury. 28 U.S.C. § 1915(g).

Gilbert's allegations do not show that he is under imminent danger of serious physical injury. This complaint is dismissed. Gilbert may refile his complaint on paying the filing fee.

Signed Mary 28, 2015, at Houston, Texas.



Lynn N. Hughes
United States District Judge