

United States District Court  
Southern District of Texas

**ENTERED**

December 12, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ORIYOMI SADIQ ALOBA,  
(BOP # 75821-112),

*Plaintiff,*

vs.

UNITED STATES DISTRICT CLERK,

*Defendant.*

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CIVIL ACTION NO. H-23-4428

**MEMORANDUM OPINION AND ORDER**

Oriyomi Sadiq Aloba, (BOP #75821-112), is a federal inmate currently held at the Federal Correctional Institution in Coleman, Florida. Proceeding *pro se*, he filed a letter alleging that the United States District Clerk in the Southern District of Texas is violating his constitutional rights by denying him access to documents that he alleges would establish that the search warrants from his criminal case were “fake.” (Dkt. 1). He alleges that because those warrants were “fake,” he is currently falsely imprisoned. (*Id.*). Aloba has neither paid the applicable filing fee nor moved to proceed *in forma pauperis*.

Because Aloba is incarcerated, his action is governed by the Prison Litigation Reform Act (“PLRA”), which was enacted, in part, to prevent prisoners from abusing the privilege of proceeding *in forma pauperis*. See *Coleman v. Tollefson*,

575 U.S. 532, 535 (2015) (citing *Jones v. Bock*, 549 U.S. 199, 204 (2007)). Under the “three-strikes rule” established in the PLRA, a prisoner may not proceed *in forma pauperis* in a civil action if, while incarcerated, three or more of his civil actions or appeals have been dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted, unless he is in “imminent danger of serious physical injury.” 28 U.S.C. § 1915(g); *see also Lomax v. Ortiz-Marquez*, 140 S. Ct. 1721, 1723 (2020) (noting that the three-strikes rule was enacted to “help staunch a ‘flood of nonmeritorious’ prisoner litigation”) (quoting *Jones*, 549 U.S. at 203).

Court records reflect that Aloba is no stranger to the federal courts. While he has been incarcerated, he has filed no fewer than thirty actions and appeals, at least four of which have been dismissed by the federal courts as frivolous, malicious, or for failing to state a claim upon which relief could be granted. *See, e.g., Aloba v. United States, et al.*, No. 4:21-CV-2139 (S.D. Tex. Oct. 20, 2021); *Aloba v. Dragoo, et al.*, No. 4:20-CV-3100 (S.D. Tex. Nov. 5, 2020); *Aloba v. United States, et al.*, No. 4:20-CV-2690 (S.D. Tex. Aug. 20, 2020); *Aloba v. Bureau of Prisons*, No. 2:22-cv-9205-PA-KES (C.D. Cal. Jan. 12, 2023). As a result, Aloba has incurred three strikes for purposes of the PLRA’s three-strikes rule, and he is barred from proceeding with this civil action *in forma pauperis* unless the pleadings show that he is in imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g); *Baños v. O’Guin*, 144 F.3d 883, 884 (5th Cir. 1998) (per curiam). But Aloba’s complaint

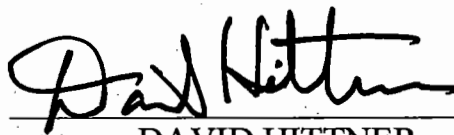
contains no allegations that he is in imminent danger of serious physical injury, nor would the nature of his claims support such allegations. His complaint is therefore barred by the three-strikes rule.

Based on the foregoing, the Court **ORDERS** as follows:

1. This prisoner civil rights action filed by Oriyomi Sadiq Aloba is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(g).
2. Any other pending motions are **DENIED as moot**.
3. Aloba may move to reinstate this case only if he pays the full amount of the filing fee for a civil action (\$405.00) within 30 days from the date of this Order.

The Clerk will provide a copy of this Order to the plaintiff. **The Clerk will also provide a copy of this order to the Manager of the Three Strikes List for the Southern District of Texas at: [Three\\_Strikes@txs.uscourts.gov](mailto:Three_Strikes@txs.uscourts.gov).**

SIGNED at Houston, Texas on Dec 12, 2023.



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DAVID HITTNER  
UNITED STATES DISTRICT JUDGE