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RICHMOND, VA

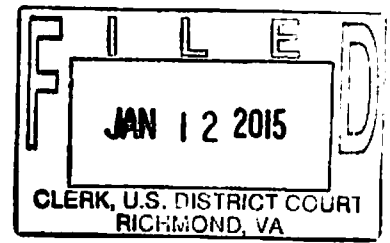IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MAURICE P. SCOTT,

    Plaintiff,

v.                                          Civil Action No. 3:14CV549

NURSE WOODRUFF,

    Defendant.

**MEMORANDUM OPINION**

Maurice P. Scott, a Virginia state inmate, submitted this civil action and applied to proceed in forma pauperis. The pertinent statute provides:

> In no event shall a prisoner bring a civil action [in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Scott has at least three actions or appeals that have been dismissed as frivolous, malicious or for failure to state a claim upon which relief could be granted. See Scott v. Blue Ridge Reg'l Jail Auth., No. 7:06CV0003668, 2006 WL 2125634, at *1 n.1 (W.D. Va. July 27, 2006) (citing Scott v. Mecklenburg Corr'l Ctr., No. 7:06cv00368 (W.D. Va. July 21, 2006); Scott v. Sussex I State Prison, No. 7:06cv00369 (W.D. Va. July 6, 2006); Scott v. Blue Ridge Reg'l Jail Auth.,

No. 7:05cv00281 (W.D. Va. Sept. 30, 2005)). Scott's current complaint does not demonstrate that he is in imminent danger of serious physical harm. Accordingly, by Memorandum Order on November 25, 2014, the Court denied Scott's request to proceed in forma pauperis and directed Scott to pay the full filing fee within eleven (11) days of the date of entry thereof.

More than eleven (11) days have elapsed and Scott has failed to pay the filing fee. Accordingly, the action will be dismissed without prejudice.

The Clerk of the Court is directed to send a copy of this Memorandum Opinion to Scott.

It is so ORDERED.

/s/ _REP_

Robert E. Payne
Senior United States District Judge

Date: January 12, 2015
Richmond, Virginia