

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

SUNDARI K. PRASAD,

Plaintiff,

v.

Civil Action No. 3:20CV193

CITY OF HAMPTON, et al.,

Defendants.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate, has submitted this civil action. As the Court has explained many times, Plaintiff may not file an action in this Court *in forma pauperis* because she is barred by 28 U.S.C. § 1915(g). 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). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. *See, e.g., Prasad v. Hampton Cir. Ct.*, No. 3:17CV204, at *6 (E.D. Va. May 31, 2018), *aff'd* No. 18–6750, 2018 WL 4460861, at *1; *Prasad v. Berger*, No. 3:17CV74, 2018 WL 2088749, at *6 (E.D. Va. May 4, 2018); *Prasad v. Judicial Inq. & Review Comm'n.*, No. 3:17CV498, 2018 WL 2015809, at *4 (E.D. Va. Apr. 30, 2018); *Prasad v. Gothic Beauty Magazine*, No. 3:17CV446, 2018 WL 1863650, *5 (E.D. Va. Apr. 18, 2018); *Prasad v. United States*, No. 3:17CV510, 2018 WL 1143597, at *4 (E.D. Va. Mar. 2, 2018), *aff'd* 733 F. App'x 130, 131 (4th Cir. 2018); *Prasad v. Wash. Metro Police Dep't.*, No. 3:17CV140, 2018 WL 1091999, at *4 (E.D. Va. Feb. 28, 2018); *Prasad v. Karn Art Inc.*,

No. 3:17CV62, 2017 WL 5012591, at *4 (E.D. Va. Nov. 2, 2017), *aff'd* 712 F. App'x 329 (4th Cir. 2018); *Prasad v. Delta Sigma Theta Sorority, Inc.*, No. 3:16CV897, 2017 WL 4399551, at *5 (E.D. Va. Oct. 3, 2017), *aff'd* 712 F. App'x 336 (4th Cir. 2018). Plaintiff's current submission does not suggest that she is in imminent danger of serious physical harm despite her labeling. Accordingly, any request to proceed *in forma pauperis* will be DENIED. The action will be DISMISSED WITHOUT PREJUDICE.

As the Court has instructed Plaintiff several times, Plaintiff remains free to submit a new complaint with the full \$400 filing fee. The full \$400 fee must be filed with any new complaint or the Court will dismiss the action. The Court will process any new complaint as a new civil action.

An appropriate Order shall accompany this Memorandum Opinion.

Date: *March 27, 2020*
Richmond, Virginia



M. Hannah Gauck
United States District Judge