

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

JOHN R. DEMOS,)

Plaintiff,)

v.)

Civil Action No. 3:20CV290–HEH

MITCH McCONNELL, *et al.*,)

Defendants.)

MEMORANDUM OPINION
(Dismissing Civil Action)

John R. Demos, a Washington 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). Demos has scores of actions or appeals that have been dismissed as frivolous, malicious or for failure to state a claim upon which relief could be granted. *See Demos v. Keating*, 33 F. App'x 918, 919–20 (10th Cir. 2002). Demos's current complaint does not demonstrate that he is in imminent danger of serious physical harm.

Accordingly, this Court will dismiss the action without prejudice. If Demos wishes to bring this action, he may file a new complaint accompanied by the full \$400.00 filing fee.

An appropriate Order will accompany this Memorandum Opinion.



/s/

HENRY E. HUDSON
SENIOR UNITED STATES DISTRICT JUDGE

Date: April 30, 2020
Richmond, Virginia