Boyd v. Roberts

Doc. 2

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAMES BOYD,	)	
Plaintiff,	)	**Civil Action No. 7:05-cv-00765**
	)	
v.	)	**MEMORANDUM OPINION**
	)	
LINDSAY ROBERTS,	)	**By: Samuel G. Wilson**
Defendants.	)	**United States District Judge**

Plaintiff James Boyd, a Virginia prisoner proceeding pro se, brings this action for damages pursuant to 42 U.S.C. § 1983. This court has dismissed three previous actions filed by Boyd pursuant to 28 U.S.C. § 1915A(b)(1).[1] Therefore, Boyd may not proceed with this action unless he either pays the $250.00 filing fee or shows that he is "under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

As Boyd has neither prepaid the filing fee nor demonstrated that he is "under imminent danger of serious physical injury," the court dismisses his complaint without prejudice pursuant to 28 U.S.C. § 1915(g).[2]

The Clerk is directed to send a certified copy of this Memorandum Opinion to the plaintiff.

ENTER: This 22nd day of December, 2005.

UNITED STATES DISTRICT JUDGE

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[1] See Boyd v. Simpson, Civil Action No. 7:02cv00646 (W.D. Va. May 13, 2002); Boyd v. None Named, Civil Action No. 7:02cv00598 (W.D. Va. April 24, 2002); Boyd v. Olson, Civil Action No. 7:02cv00074 (W.D. Va. Jan. 24, 2002).

[2] The court has previously notified Boyd that he may not file civil actions in this court unless he either pays the filing fee or demonstrates that he is under imminent danger of serious physical injury. Therefore, the court will not give Boyd any additional time to pay the filing fee or amend his complaint.

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