McLean v. McCoy et al Doc. 7

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

QUENTIN MCLEAN,	)	
Plaintiff,	)	**Civil Action No. 7:06cv00008**
	)	
v.	)	**MEMORANDUM OPINION**
	)	
	)	
LT. MCCOY, et al.,	)	**By: Samuel G. Wilson**
Defendants.	)	**United States District Judge**

Plaintiff Quentin McLean, a Virginia prisoner proceeding pro se, brings this action for damages pursuant to 42 U.S.C. § 1983. However, this court and the United States District Court for the Eastern District of Virginia have dismissed three of McLean's previous complaints pursuant to 28 U.S.C. § 1915A(b)(1).[1] Therefore, McLean 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 McLean 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 and denies his motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(g).[2]

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

ENTER: This 9th day of January, 2006.

UNITED STATES DISTRICT JUDGE

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[1] See McLean v. Miller, Civil Action No. 7:97cv00304 (W.D. Va. May 28, 1997); McLean v. Rosenthal, Civil Action No. 3:93cv00852 (E.D. Va. Nov. 2, 1994); McLean v. Terry, Civil Action No. 2:90cv01532 (E.D. Va. March 22, 1991).

[2] The court has previously notified McLean 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 additional time to pay the filing fee or amend his complaint.

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