

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

MAY 12 2009

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

JOHN F. CORCORAN, CLERK
BY: *J. Craft*
DEPUTY CLERK

MARK TODD SHOWALTER,)
Plaintiff,)
)
v.)
)
GENE M. JOHNSON, et al.,)
Defendants.)

Civil Action No. 7:08cv00276

ORDER

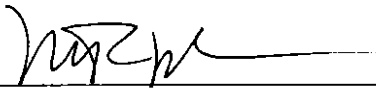
By: Michael F. Urbanski
United States Magistrate Judge

In accordance with the Memorandum Opinion filed this day, it is **ORDERED** as follows:

1. Plaintiff's Complaint violates Rules 8, 10, 18 and 20 of the Federal Rules of Civil Procedure and will not be allowed to proceed as filed.
2. Plaintiff has amassed three strikes against him pursuant to 28 U.S.C. § 1915(g), requiring him to demonstrate imminent danger of serious physical injury or pay the filing fee in full. Plaintiff makes no showing of imminent danger of serious physical injury. In fact, many of the allegations are reruns of Showalter's earlier lawsuits.
3. However, because plaintiff has already paid a \$350.00 filing fee in this case, he is **ORDERED** to file an Amended Complaint meeting the requirements of the Federal Rules of Civil Procedure within 20 days, which will be screened under the Prison Litigation Reform Act.
4. Any such Amended Complaint must conform to the rules pertaining to joinder of claims and parties, Fed. R. Civ. P. 18 and 20, must contain "a short and plain statement of the claim showing that the pleader is entitled to relief," Fed. R. Civ. P. 8(a)(1), and must set forth its claims in separate paragraphs, each limited as far as practicable to a single set of circumstances. Fed. R. Civ. P. 10(b).

5. If no Amended Complaint is filed within that period, or a pleading is filed which violates the joinder rules or otherwise does not conform to the Federal Rules of Civil Procedure, the undersigned will **RECOMMEND** to the district court that this action be **DISMISSED**.

Enter: This 12th day of May, 2009.



Michael F. Urbanski
United States Magistrate Judge