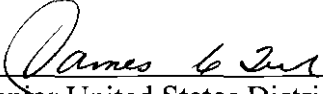


Therefore, the court also finds that he cannot file this civil action or any other civil action without prepayment of the \$350.00 fee required for filing civil actions¹ unless he demonstrates that he is “under imminent danger of serious physical injury.” § 1915(g). Plaintiff does not allege any facts indicating that he is currently under any imminent threat of any serious physical injury within the meaning of § 1915(g). Based on the foregoing, the court finds that plaintiff has failed to demonstrate any imminent danger of serious physical harm. Accordingly, the court shall deny his motion to proceed without prepayment of the filing fee and, if he fails to prepay the \$350.00 filing fee within seven (7) days, the court shall dismiss this action without prejudice, pursuant to § 1915(g).

The Clerk is directed to send certified copies of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 12th day of May, 2009.



Senior United States District Judge

¹ This fee is set by statute. See 28 U.S.C. § 1914(a).