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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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8 In re:

9 JEROME TALLEY,

10 Respondent.

CASE NO. 15-MC-164-MJP

ORDER RE: RECENT FILINGS

11
12 The Court is in receipt of four pleadings from Respondent:

- 13 1. *Talley v. Jack Uglick, et al.*, “Civil Rights Complaint Brought by a Prisoner Under 42
14 U.S.C. Sec. 1983 Against State Actors for Deprivation of Rights Secured by the
15 Constitution of the United States” (Dkt. #29);
- 16 2. *Talley v. Ricardo S. Martinez*, “Complaint Under Bivens v. Six Unknown Fed. Narc.
17 Agents, ___ U.S. ___ (1971)” (Dkt. #30);
- 18 3. *Talley v. Marsha J. Pechman*, “Complaint Under Bivens v. Six Unknown Fed. Narc.
19 Agents, ___ U.S. ___ (1971)” (Dkt. #31); and
- 20 4. *Talley v. Dept. of Corr.*, “Motion for a Remedy Under the Common Law, A Remedy
21 is Requested to Be Provided by the Court” (Dkt. #32).

22 Respondent is currently under a Bar Order entered on November 25, 2015. Dkt. #3.

23 Among the conditions which must be met in order for any civil action filed by Respondent to
24 proceed are the following:

1 (1) Respondent Jerome Talley is prohibited from filing any civil action in the
2 Western District of Washington unless the complaint or petition is
3 accompanied by a signed affidavit stating under penalty of perjury that
4 the complaint contains new allegations not previously litigated. Mr.
5 Talley may not proceed *in forma pauperis* in any § 1983 or *Bivens* action
without a showing that he is in imminent danger of serious bodily injury
or death. Any complaint or petition filed by Mr. Talley that is not
accompanied by a signed affidavit and/or an imminent danger showing
will not be filed.

6 . . .

7 (4) Any other document that appears to be a civil action and that is
8 accompanied by the full filing fee will be docketed in this case, No. 3:15-
9 mc-164 MJP, and reviewed by the Chief Judge, who will determine
whether the case may proceed.

10 *Id.* at 2.

11 Respondent’s latest filings fail to meet these conditions. Since he has not requested *in*
12 *forma pauperis* status in any of the cases, the deficiency in all of his pleadings is that none of them
13 are accompanied by a full filing fee. Additionally, none of Respondent’s latest pleadings are
14 accompanied by an affidavit under penalty of perjury declaring that the matters “contain[] new
15 allegations not previously litigated.” Because of those deficiencies, none of the latest pleadings
16 will be permitted to proceed.

17 Although, as noted, Respondent has not requested IFP status in any of his new pleadings,
18 he has filed affidavits alleging threats to his physical safety or life in two of them. *See* Dkts. #29
19 at 5 and #31 at 8. Once again, these affidavits are insufficient to meet the requirements of his Bar
20 Order. The Bar Order requires a “showing” that he is in imminent danger. This means that
21 Respondent is required to allege facts which would lead a reasonable person to believe that he is
22 in danger; his belief (no matter how often repeated or how sincere) that his safety is threatened is,
23 and will continue to be, inadequate to meet his burden in this regard.

1 Respondent's latest filings fail to satisfy the terms of his Bar Order, and therefore he is not
2 permitted to proceed with any of them until he has paid the full filing fees for all pleadings.

3 The Clerk SHALL provide copies of this order to Respondent.

4 Dated: August 7, 2017.

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6 RICARDO S. MARTINEZ
7 CHIEF UNITED STATES DISTRICT JUDGE
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