

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MICHAEL SCOTT,
Plaintiff,

v.

Case No. 13-CV-1010

WISCONSIN SECURE PROGRAM FACILITY, et al.,
Defendants,

DECISION AND ORDER

In an order entered November 27, 2013, I denied plaintiff's motion for leave to proceed in forma pauperis because he has three or more "strikes" under § 1915(g) and his complaint did not allege "imminent danger of serious physical injury." I directed plaintiff to forward the sum of \$400.00 to the Clerk of Court as the full filing fee in this case and warned him that failure to comply would result in dismissal of this case.

Plaintiff has not paid the full filing fee. Instead, he wrote a letter to the Clerk of Court stating that he is indigent and unable to pay the \$400.00 filing fee. He requested that the court still allow him to proceed with his lawsuit. There is no basis for granting his request. Because plaintiff has accumulated three or more "strikes," he must pay the full filing fee to proceed.

THEREFORE, IT IS ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** for failure to pay the filing fee.

IT IS FURTHER ORDERED that copies of this order be sent to the warden of the institution where plaintiff is confined, to Corey F. Finkelmeyer, Assistant Attorney General, Wisconsin Department of Justice, P.O. Box 7857, Madison, Wisconsin 53707-7857, and

to PLRA Attorney, United States Court of Appeals for the Seventh Circuit, 219 S. Dearborn Street, Rm. 2722, Chicago, Illinois 60604.

Dated at Milwaukee, Wisconsin, this 7th day of January 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge