

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CARL C. GILBERT,
Petitioner,

v.

ORDER

JAMES R. DOYLE, MATTHEW FRANKS,
PHIL KINGSTON, CAPT. O'DONOVAN,
CAPT. MURASKI, CAPT. SCHUELER
and C.O. II FEUCHT,

06-C-584-S

Respondents.

Petitioner requests leave to proceed in forma pauperis. He is currently incarcerated at the Waupun Correctional Institution.

28 U.S.C. §1915(g) states as follows:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

Petitioner Gilbert has on three or more occasions while incarcerated brought civil actions which were dismissed for the reasons listed in §1915(g). These cases are: Gilbert v. Shabaz, 93-C-338-C, decided May 27, 1993, Gilbert v. Shabaz, 93-C-339-C, decided May 27, 1993 and Gilbert v. Shabaz, 93-C-366-C, decided June 3, 1993.

Petitioner does not allege that he is in imminent danger of serious physical injury. Petitioner's request to proceed in forma pauperis will be denied pursuant to 28 U.S.C. § 1915(g).

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is DENIED and DISMISSED with prejudice.

Entered this 16th day of October, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge