

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

In re JAMES EDWARD GRANT,

ORDER

Plaintiff,

12-mc-16-bbc

James Edward Grant, a prisoner at the Dane County jail in Madison, Wisconsin, has filed a motion to modify or rescind the sanctions order issued against him on January 5, 2010 pursuant to Support Systems International, Inc. v. Mack, 45 F.3d 185 (7th Cir. 1995).

That order stated in relevant part:

Under Support Systems International, Inc. v. Mack, 45 F.3d 185 (7th Cir. 1995), I will order the clerk of court to return unfiled plaintiff's filings in pending and future cases until he has paid the \$10,343.79 he owes for his cases before this court and the court of appeals. The clerk will retain an electronic copy of the documents plaintiff attempts to file, but the court will take no further action on those documents. There are some exceptions to the filing bar: plaintiff may still file applications for a writ of habeas corpus or documents in any criminal case in which he is a defendant. In addition, this court will consider complaints in which plaintiff alleges he is in imminent danger of serious physical harm. Ammons v. Hannula, No. 08-cv-608-bbc, slip op. at 13-16 (W.D. Wis. Nov. 5, 2008). However, as a means of avoiding additional waste of court resources responding to frivolous complaints containing only the magic words "imminent danger" rather than allegations passing muster under § 1915(g), any further complaints alleging imminent danger filed by plaintiff will be deemed dismissed after 30 days unless the court orders otherwise. Alexander v. United States, 121 F.3d 312, 315 (7th Cir. 1997). This order will expire when plaintiff pays the amount due. Plaintiff may file a motion to modify or rescind this Mack order no earlier than two years from the date of this order.

In the present motion, plaintiff states that he is indigent and therefore has no means to pay off the over \$10,000 in filing fees he has accrued. He states that he currently has “serious issues with . . . law enforcement officers” and that he is in “imminent danger—due to retaliation, and corruption.”

Plaintiff’s submission suggests no reason to modify or rescind the sanctions order. As stated above, under the terms of the sanctions, the court will consider complaints filed by plaintiff alleging that he is in imminent danger of serious physical harm. Thus he is free to submit a complaint explaining the nature of the harm he faces. If plaintiff’s allegations suggest that he is truly in danger, the court will take further action. However, if as with so many of his allegations in previous complaints, his allegations fail to suggest that he is actually in danger, the case will be deemed dismissed without a formal opinion. Plaintiff should be aware that he will owe \$350 for each complaint he files in this court.

ORDER

IT IS ORDERED that plaintiff James Edward Grant’s motion to modify or rescind the January 5, 2010 sanctions order against him, dkt. #1, is DENIED.

Entered this 29th day of November, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge