

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

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JAMES E. GRANT,

Plaintiff,

v.

OPINION and ORDER

14-cv-78-bbc

MR. MAGGLE, MR. WOLF, MR. BRAASCH,  
MR. NEAU, MR. KRAMER, MR. KRISBAHER,  
MR. PUHL, MR. BORKOWSKY, MR. SCHLIEVE,  
MR. JENNERJOHN, MR. JAMES ZANON,  
MR. DOGENIAS, MR. SCHMITZ, MR. ALLEN,  
MS. JESSICA HINMAN, MR. STANCKE,  
MR. SCHROEDER, MR. KAREN, MR. HUNT,  
MR. TESS, MR. NICHOLSON, MR. IERONIMO,  
MR. LEHMAN, MR. SCHACT, MR. TONEY,  
MS. SANDY HABECK, MR. DUDEK, MR. DUKELOW,  
MR. POTRATZ, MR. DREXLER, MR. SCHALLER,  
MR. JOHNSON, MR. JOHNSON, MR. SZESTERIAK,  
MR. LAMPE and MR. HUBERTY,

Defendants.  
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Plaintiff James E. Grant, a prisoner at the Waupun Correctional Institution, has filed a proposed complaint raising numerous claims. Also, he seeks leave to proceed in forma pauperis and has filed a motion for the court's assistance in recruiting counsel for him.

Plaintiff has "struck out" under 28 U.S.C. § 1915(g), which reads 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.

On at least three prior occasions, I denied plaintiff leave to proceed in forma pauperis in lawsuits that were legally frivolous. Grant v. Barth, 08-cv-669-slc, decided January 8, 2008; Grant v. Robinson, 08-cv-689-slc, decided January 9, 2008; and Grant v. Zeigler, 08-685-slc, decided January 15, 2008. In addition, plaintiff has been sanctioned by this court for numerous previous frivolous filings: the clerk of court has been directed to place plaintiff's filings in a box, undocketed, until he has paid the \$10,343.79 he owes for the cases he has filed in this court and the appeals he has filed in the court of appeals, Grant v. Dane County Jail, Case No. 09-cv-727-slc (Jan. 5, 2010), although plaintiff has still been permitted to file habeas corpus petitions or complaints in which he alleges that he is in imminent danger of serious physical harm. Accordingly, under either restriction, plaintiff cannot proceed in any of these cases unless I find that the complaint alleges that he is in imminent danger of serious physical injury.

In his complaint, plaintiff raises several claims that do not meet this imminent danger standard, such as that he has been given false conduct reports, his legal materials have been withheld and his mail is the subject of tampering. He may not proceed on any of these claims under the terms of the sanctions that have been imposed on him.

Additionally, plaintiff alleges that he is constantly being poisoned while he is in segregation, but does not provide any explanation of what this means. He names many prison officials as defendants but provides no explanation of who is trying to poison him.

These allegations are similar to his allegations in a previous case, 13-cv-668-bbc, in which I gave plaintiff a chance to submit more detailed allegations explaining his claims. He failed to do so, but instead has regularly filed documents having nothing to do with imminent danger claims that have gone undocketed because of the sanctions against him. At this point, plaintiff is well aware that extremely vague or conclusory allegations will not suffice to state a claim in this court, and all his filings have served to do is waste court resources. I see no reason to provide him another chance to amend his complaint to explain his situation. Therefore, I will dismiss this case. Plaintiff's motion for the court's assistance in recruiting counsel will be denied, as there is no reason to think that plaintiff needs the help of counsel to submit a complaint adequately detailing his imminent danger claims.

Moreover, I will extend plaintiff's filing bar to include the type of complaint that plaintiff has recently filed. His complaints will continue to be routed to chambers for review, and if they raise only the kinds of vague, conclusory claims that he has raised in his last two cases, they will be placed in a box in the office of the clerk of court for one year, to be destroyed at the end of that year.

## ORDER

IT IS ORDERED that

1. Plaintiff James Grant is DENIED leave to proceed on any of the claims raised in his complaint, dkt. #1, pursuant to the sanction orders against him, and the case is DISMISSED.

2. Plaintiff's motion for the court's assistance in recruiting counsel, dkt. #3, is DENIED.

2. The clerk of court is directed to enter judgment in favor of defendants and close this case.

3. The sanctions against plaintiff are extended to include the type of complaint that plaintiff has recently filed. His complaints will continue to be routed to chambers for review, and if they raise only the kinds of vague, conclusory claims that he has raised in his last two cases, they will be placed in a box in the office of the clerk of court for one year, to be destroyed at the end of that year.

Entered this 19th day of March, 2014.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge