

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

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DWAYNE ALMOND,

Plaintiff,

v.

ORDER

12-cv-259-bbc

WARDEN WILLIAM POLLARD,  
DR. SUMINICHT, M.D.,  
R.N. AMY SCHRAUFNGED, R.N. S. JACKSON,  
ANGLIA KROLL (ICE -PA),  
DR. DAVID BURNETT, B.H.S. MEDICAL. D.,  
DR. SCOTT HOFTIEZER, B.H.S. A.M.D.,  
MR. JIM GREER, B.H.S. DIRECTOR,  
MS. MARY MUSE, B.H.S. DIRECTOR OF NURSING,  
and OFFICIAL JONES,

Defendants.  
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In an August 28, 2013 order, I denied plaintiff Dwayne Almond's renewed motion for preliminary injunctive relief, granted defendants' motion to revoke plaintiff's in forma pauperis status because the facts plaintiff had alleged in briefing his previous motions showed that he was not in imminent danger of serious physical harm and gave plaintiff until September 17, 2013 to submit the remaining balance of the \$350 filing fee if he wanted to continue with the case. Dkt. #66. Additionally, I issued the following sanction against plaintiff:

As a means of avoiding additional waste of court resources responding to frivolous complaints containing only the magic words "imminent danger" rather than conditions truly passing muster under § 1915(g), the court will bar

plaintiff from proceeding in forma pauperis on future “imminent danger” claims relating to his perceived back and abdomen ailments unless plaintiff’s complaint is accompanied by records showing that plaintiff has been diagnosed with new ailments and is failing to receive treatment for them. Future “imminent danger” lawsuits filed by plaintiff regarding back and abdomen problems that do not include such documentation will be deemed automatically dismissed after 30 days unless the court orders otherwise. Alexander v. United States, 121 F.3d 312, 315 (7th Cir. 1997).

Id.

Rather than submit the remaining balance of the filing fee, plaintiff has filed a document titled “Plaintiff’s Amended Complaint to Stay Revoke In Forma Pauperis Status . . . .” However, this document is not in the form of an amended pleading. Instead, in the document, plaintiff attempts to dispute most of the reasoning in the August 28, 2013 order. Therefore, I will construe the document as a motion for reconsideration of the August 28 order. Because plaintiff has not raised any argument persuading me that my reasoning in the August 28 order was incorrect, I will deny his motion for reconsideration and direct the clerk of court to close the case for plaintiff’s failure to prepay the full filing fee for this case.

#### ORDER

IT IS ORDERED that

1. Plaintiff Dwayne Almond’s motion for reconsideration of the court’s August 28, 2013 order, dkt. #67, is DENIED.

2. The clerk of court is directed to close the case for plaintiff's failure to prepay the \$350 filing fee.

Entered this 2d day of October, 2013.

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