

ORIGINAL

In the United States Court of Federal Claims

No. 17-807C
(Filed June 21, 2017)
NOT FOR PUBLICATION

FILED

JUN 21 2017

U.S. COURT OF
FEDERAL CLAIMS

* * * * *

SAMUEL BURLESON,

Plaintiff,

v.

THE UNITED STATES,

Defendant.


* * * * *

ORDER

Samuel Burleson, a prisoner in the custody of the State of Texas, has filed a complaint in this court. He did not pay the filing fee with his complaint and did not file a motion to proceed *in forma pauperis*. In that complaint he appears to be contesting the legality of his imprisonment. Mister Burleson has brought numerous civil actions in federal courts during his incarceration. Accordingly, on June 8, 2017, the United States District Court for the Western District of Texas determined that he is not eligible for *in forma pauperis* status under the Prison Litigation Reform Act because he has filed three civil actions in federal courts which were dismissed as frivolous, malicious, or for failing to state a claim. *Burleson v. United States Corporation*, et al., 17-cv-514 (W.D. Tex. June 8, 2017) (citing 28 U.S.C. § 1915). As Mr. Burleson's complaint does not allege that he is in "imminent danger of serious physical injury," see 28 U.S.C. § 1915(g), this Court likewise finds that plaintiff is not eligible to proceed without first paying the filing fee. Therefore, plaintiff must pay the \$400 filing fee in full by **Thursday, July 20, 2017**, or his complaint will be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Rules of the United States Court of Federal Claims.

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IT IS SO ORDERED.



VICTOR J. WOLSKI
Judge