UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KOHEN DIALLO E. UHURU, Plaintiff, v. JASMIN GIN, *et al.*, Defendants.	Case No. 2:25-cv-3522-DAD-JDP (P) FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner, brings this action and impermissibly alleges three separate and unrelated claims against multiple defendants. Before this action can proceed any further, however, plaintiff must pay the filing fee because they[1] are a "three-striker" within the meaning of 28 U.S.C. § 1915(g). Plaintiff has had at least three cases dismissed for failure to state a claim upon which relief can be granted. In *Uhuru v. Eldridge*, 2:19-cv-1119-KJM-KJN, plaintiff was determined to have at least three strikes: (1) *Diallo v. Yarborough*, Case No. 2:03-cv-05401-JVS-VBK (C.D. Cal. February 5, 2004); (2) *Diallo v. Moskowitz*, Case No. 2:07-cv-07109-JVS-VBK (C.D. Cal. June 1, 2009); and (3) Diallo v. Greenman, Case No. 2:07-cv-02937-JVS-VBK (C.D. Cal. Sept. 21, 2009). *Uhuru v. Eldridge*, 2:19-cv-1119-KJM-KJN at ECF Nos. 28 & 30. Other

[1] Plaintiff indicates that their preferred pronoun is "they." ECF No. 1 at 3.

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judges in this district have also determined that plaintiff is a "three-striker." *See, e.g.*, *Uhuru v. Benavidez*, 2:22-cv-0784-TLN-DMC at ECF Nos. 43 & 45.

Plaintiff could be entitled to proceed *in forma pauperis* in spite of this status, if they alleged they were in imminent danger. The claims do not make such an allegation, however. Instead, the claims relate to denial of religious accommodations, denial of parole, and alleged violations of plaintiff's rights under the Americans with Disabilities Act.

Accordingly, it is RECOMMENDED that plaintiff's application to proceed *in forma pauperis*, ECF No. 2, be DENIED, and that plaintiff be directed to tender the filing fee within thirty days of any order adopting these recommendations.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days of service of these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Any such document should be captioned "Objections to Magistrate Judge's Findings and Recommendations," and any response shall be served and filed within fourteen days of service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. *See Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: February 13, 2026

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE