

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JONATHAN LEE RICHES, Plaintiff,	Civil Action No. 1:08CV24
V.	
M. SALEEM KHANANI, Defendant.	
JONATHAN LEE RICHES, Plaintiff,	
v. ROBERT D. HOF,	Civil Action No. 1:08CV26
d/b/a Businessweek Magazine, Defendant.	
JONATHAN LEE RICHES, Plaintiff,	
V.	Civil Action No. 1:08CV28
CARLOS J. HINO JOSA, Defendant.	
JONATHAN LEE RICHES, Plaintiff,	
V.	Civil Action No. 1:08CV34
CARMINE PERSICO,	
a/k/a The Snake,	
Defendant.	
JONATHAN LEE RICHES, Plaintiff,	
V.	Civil Action No. 1:08CV36
VINCENT FERRARA, Defendant.	
JONATHAN LEE RICHES, Plaintiff,	
V.	Civil Action No. 1:08CV38
P. MATTHEW BONANNI,	
d/b/a Autoweek Magazine, Defendant.	

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v. CLIFTON L. C Abdullah Jihad	LEE RICHES, et al., Plaintiffs, COUSINS, a/k/a l Malik, Defendant.	Civil Action No. 1:08CV44
v. JOAN BENOI	LEE RICHES, et al., Plaintiffs, T SAMUELSON, et al., Defendants.	Civil Action No. 1:08CV48
v. BILLIE SOL E	LEE RICHES, et al., Plaintiffs, ESTES, et al., Defendants.	Civil Action No. 1:08CV49
v. SALVATORE	LEE RICHES, et al., Plaintiffs, TRICARIO, Defendant.	Civil Action No. 1:08CV50
v. PACIFIC INVI d/b/a Pimco,	LEE RICHES, et al., Plaintiffs, ESTMENT MANAGEMENT CO., Defendant.	Civil Action No. 1:08CV53
v. NANCY GRA d/b/a Former F	LEE RICHES, et al., Plaintiffs, CE, fulton County Special Prosecutor, Defendant.	Civil Action No. 1:08CV54

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JONATHAN LEE RICHES, et al., Plaintiffs, v. KIRK KERKORIAN, d/b/a as Tracinda Corp, Defendant.	Civil Action No. 1:08CV55
JONATHAN LEE RICHES, et al., Plaintiffs, v. JUAN GARCIA ABREGO, et al., Defendants.	Civil Action No. 1:08CV56
JONATHAN LEE RICHES, et al., Plaintiffs, v. JAMES COONAN, et al., Defendants.	Civil Action No. 1:08CV57
JONATHAN LEE RICHES, et al., Plaintiffs, v. AGYNESS DEYN, et al., Defendants.	Civil Action No. 1:08CV59
JONATHAN LEE RICHES, et al., Plaintiffs, v. HALI TARA FELDMAN, et al., Defendants.	Civil Action No. 1:08CV60
JONATHAN LEE RICHES, et al., Plaintiffs, v. JERMAINE DUPRI, et al., Defendants.	Civil Action No. 1:08CV63
JONATHAN LEE RICHES, et al., Plaintiffs, v. VICTOR LEVY-CORDERO, et al., Defendants.	Civil Action No. 1:08CV64

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v.	LEE RICHES, et al., Plaintiffs, DON MEEK, et al., Defendants.	Civil Action No. 1:08CV65
v.	LEE RICHES, et al., Plaintiffs, B. ZUCKERMAN, et al., Defendants.	Civil Action No. 1:08CV66
v.	LEE RICHES, et al., Plaintiffs, VALDON AMEY, et al., Defendants.	Civil Action No. 1:08CV67
v.	LEE RICHES, et al., Plaintiffs, GASKELL, et al., Defendants.	Civil Action No. 1:08CV68
v.	LEE RICHES, et al., Plaintiffs, CE TECHNOLOGIES, INC., ons, Defendant.	Civil Action No. 1:08CV70
v.	LEE RICHES, et al., Plaintiffs, ONNY BOALDS, et al., Defendants.	Civil Action No. 1:08CV71
v.	LEE RICHES, et al., Plaintiffs, DN YOUNG, et al., Defendants.	Civil Action No. 1:08CV72

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JONATHAN LEE RICHES, et al., Plaintiffs, v. DAVID ROLAND HINKSON, et al., Defendants.	Civil Action No. 2:08CV18
JONATHAN LEE RICHES, et al., Plaintiffs, v. KENNETH VAN HORN, et al., Defendants.	Civil Action No. 2:08CV22
JONATHAN LEE RICHES, et al., Plaintiffs, v. RONALD J. TRUCCHIO, Defendant.	Civil Action No. 2:08CV23
JONATHAN LEE RICHES, et al., Plaintiffs, v. LOUIS ANTHONY CAGGIANO, et al., Defendants.	Civil Action No. 2:08CV24
JONATHAN LEE RICHES, et al., Plaintiffs, v. KIRSTEN DUNST, et al., Defendants.	Civil Action No. 2:08CV26
JONATHAN LEE RICHES, et al., Plaintiffs, v. SUZANNE RUFFA DOLEN, et al., Defendants.	Civil Action No. 2:08CV27
JONATHAN LEE RICHES, et al., Plaintiffs, v. GENERAL RE CORP, et al., Defendants.	Civil Action No. 2:08CV28

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v.	LEE RICHES, et al., Plaintiffs, NA SIX, et al., Defendants.	Civil Action No. 2:08CV29
v.	LEE RICHES, et al., Plaintiffs, VA, d/b/a Guardian Angels, Defendants.	Civil Action No. 2:08CV30
v.	LEE RICHES, et al., Plaintiffs, EN CARRIER, et al., Defendants.	Civil Action No. 2:08CV31
JONATHAN I v. LEIGH LEZA	LEE RICHES, et al., Plaintiffs, RK, et al., Defendants.	Civil Action No. 2:08CV32
v.	LEE RICHES, et al., Plaintiffs, MAR SACASA, et al., Defendants.	Civil Action No. 2:08CV33
JONATHAN I v. JA RULE, et a	LEE RICHES, et al., Plaintiffs, ll, Defendants.	Civil Action No. 2:08CV34
JONATHAN I v. AUSTIN ARK	LEE RICHES, et al., Plaintiffs, KUSH, et al., Defendants.	Civil Action No. 2:08CV35

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v. JOSEPH F. POLIT	ntiffs,	Civil Action No. 2:08CV36
v. DAMON DASH, e	ntiffs,	Civil Action No. 2:08CV37
v. CAROLINA IRVI	ntiffs,	Civil Action No. 2:08CV38
v. SPIKE LEE, et al.,	ntiffs,	Civil Action No. 2:08CV39
v. RAFAEL COLLAZ	RICHES, et al., ntiffs, ZO-APONTE, et al., endants.	Civil Action No. 2:08CV40
v. MIKE LUPICA, et	ntiffs,	Civil Action No. 2:08CV41
v. DAPHNE RETTE	ntiffs,	Civil Action No. 2:08CV42

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JONATHAN I v. PHILIP A. GI	LEE RICHES, et al., Plaintiffs, RODANO, Defendant.	Civil Action No. 3:08CV16
JONATHAN I v. RAMONA AF	LEE RICHES, et al., Plaintiffs, FRICA, et al., Defendants.	Civil Action No. 3:08CV17
JONATHAN I v. LUIS DEVILI	LEE RICHES, et al., Plaintiffs, LERS, Defendant.	Civil Action No. 3:08CV19
v.	LEE RICHES, et al., Plaintiffs, ESHETTE MURPHY, Defendant.	Civil Action No. 3:08CV20
v.	LEE RICHES, et al., Plaintiffs, BERNARDO, et al., Defendants.	Civil Action No. 3:08CV21
v.	LEE RICHES, et al., Plaintiffs, DINAND, et al., Defendants.	Civil Action No. 3:08CV23
JONATHAN I v. GREGORY R d/b/a Brocade	Plaintiff,	Civil Action No. 3:08CV24

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JONATHAN LEE RICHES, Plaintiff, v. NORMAN JEAN RAY, et al., Defendants.	Civil Action No. 3:08CV25
JONATHAN LEE RICHES, Plaintiff, v. GERALD FRANK PLUNK, et al., Defendants.	Civil Action No. 3:08CV26
JONATHAN LEE RICHES, et al., Plaintiffs, v. COY RAY PHELPS, et al., Defendants.	Civil Action No. 3:08CV27
JONATHAN LEE RICHES, et al., Plaintiffs, v. JESSICA STAM, et al., Defendants.	Civil Action No. 3:08CV30
JONATHAN LEE RICHES, et al., Plaintiffs, v. NASIR JONES, d/b/a Nas, et al., Defendants.	Civil Action No. 3:08CV31
JONATHAN LEE RICHES, et al., Plaintiffs, v. PAULA RADCLIFFE, et al., Defendants.	Civil Action No. 3:08CV32
JONATHAN LEE RICHES, et al., Plaintiffs, v. QUIMMAH SAAFIR, et al., Defendants.	Civil Action No. 3:08CV33

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v.	LEE RICHES, et al., Plaintiffs, IE-CABRERA, et al., Defendants.	Civil Action No. 3:08CV34
JONATHAN I v. OSCAR RON	LEE RICHES, et al., Plaintiffs, DA, et al., Defendants.	Civil Action No. 3:08CV35
JONATHAN I v. JULES NASS	LEE RICHES, et al., Plaintiffs, O, et al., Defendants.	Civil Action No. 3:08CV36
v.	LEE RICHES, et al., Plaintiffs, MASZKO, et al., Defendants.	Civil Action No. 3:08CV39
JONATHAN I v. DAVID CHA	LEE RICHES, et al., Plaintiffs, SE, et al., Defendants.	Civil Action No. 3:08CV40
v.	LEE RICHES, et al., Plaintiffs, V. LIBERTY LOBBY, INC., Defendants.	Civil Action No. 5:08CV32
v.	LEE RICHES, et al., Plaintiffs, EORGE, et al., Defendants.	Civil Action No. 5:08CV33

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v.	LEE RICHES, et al., Plaintiffs, UIS SYRAX, et al., Defendants.	Civil Action No. 5:08CV34
JONATHAN v. MUMIA ABU	LEE RICHES, et al., Plaintiffs, J-JAMAL, Defendant.	Civil Action No. 5:08CV35
v.	LEE RICHES, et al., Plaintiffs, GE SAHHAR, Defendant.	Civil Action No. 5:08CV36
JONATHAN v. LEO V. FELT	LEE RICHES, et al., Plaintiffs, ON, et al., Defendants.	Civil Action No. 5:08CV38
v.	LEE RICHES, et al., Plaintiffs, ATE, Ph.D., et al., Defendants.	Civil Action No. 5:08CV39
v.	LEE RICHES, et al., Plaintiffs, DHN EHRMANN, et al., Defendants.	Civil Action No. 5:08CV40
v.	LEE RICHES, et al., Plaintiffs, ED ARMY MEDICAL CENTER, Defendants.	Civil Action No. 5:08CV43

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JONATHAN LEE RICHES, et al., Plaintiffs, v. MEREDITH MELLING BURKE,et al., Defendants.	Civil Action No. 5:08CV44
JONATHAN LEE RICHES, et al., Plaintiffs, v. NICHOLAS DEFONTE, d/b/a Metropolitan Correction Center Officer, Defendant.	Civil Action No. 5:08CV45
JONATHAN LEE RICHES, et al., Plaintiffs, v. MIGUEL RODRIGUEZ OREJUELA, et al., Defendants.	Civil Action No. 5:08CV46
JONATHAN LEE RICHES, et al., Plaintiffs, v. WALLACE D. ARCHDALE, et al., Defendants.	Civil Action No. 5:08CV47
JONATHAN LEE RICHES, et al., Plaintiffs, v. SCARLETT JOHANSSON, et al., Defendants.	Civil Action No. 5:08CV48
JONATHAN LEE RICHES, et al., Plaintiffs, v. KATE MOSS, et al., Defendants.	Civil Action No. 5:08CV49
JONATHAN LEE RICHES, et al., Plaintiffs, v. KANYE WEST, et al, Defendants.	Civil Action No. 5:08CV50

JONATHAN LEE RICHES, et al., Plaintiffs, v. ANDREA DUNCAN MAO, et al., Defendants.	Civil Action No. 5:08CV51
JONATHAN LEE RICHES, et al., Plaintiffs, v. ROBERT P. DELUCA, SR., et al., Defendants.	Civil Action No. 5:08CV52
JONATHAN LEE RICHES, et al., Plaintiffs, v. ALBERTO FLAHARTY, et al., Defendants.	Civil Action No. 5:08CV53
JONATHAN LEE RICHES, et al., Plaintiffs, v. DARRYL BANKS, et al., Defendants.	Civil Action No. 5:08CV54
JONATHAN LEE RICHES, et al., Plaintiffs, v. WILLIAM B. ZIFF, et al., Defendants.	Civil Action No. 5:08CV55
JONATHAN LEE RICHES, et al., Plaintiffs, v. STEVEN SPIELBERG, et al., Defendants.	Civil Action No. 5:08CV56
JONATHAN LEE RICHES, et al., Plaintiffs, v. MISCHA BARTON, et al., Defendants.	Civil Action No. 5:08CV57

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JONATHAN LEE RICHES, et al., Plaintiffs, v. MARTIN H. TANKLEFF, et al.,

Defendants.

Civil Action No. 5:08CV58

MEMORANDUM OPINION AND ORDER THAT ALL ACTIONS BE DISMISSED WITHOUT PREJUDICE

I. Introduction

Plaintiff, Jonathan Lee Riches, pro se, filed each of the above actions between January 14, 2008 and January 31, 2008.

Jonathan Lee Riches is an inmate at FCI Williamsburg in Salters, South Carolina and can

best be described as a serial filer of lawsuits. Jonathan Lee Riches has filed 151 cases in this district

between January 2, 2008 and January 31, 2008. The United States Courts Pacer U.S. Party/Case

Index lists Jonathan Lee Riches as having filed 989 actions between February, 2006, and

February 20, 2008.

II. Discussion

Plaintiff has not paid the \$350.00 filing fee in any of these cases. The Prisoner Litigation Reform Act has restricted when a complaint may be filed by a prisoner without prepayment of fees.

Specifically, 28 U.S.C. §1915(g) provides 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.

III. Analysis

A. Three Strikes' Rule

The records of the federal courts indicate that at least seven of Plaintiff's prior suits were dismissed prior to service of process as frivolous pursuant to 28 U.S.C. § 1915. <u>Riches v.</u> <u>Guantanamo Bay</u>, Case No. 2:07-CV-13041-VAR (E.D. Mich., Order dated Aug. 8, 2007); <u>Riches v. Bureau of Prisons</u>, Case No. 6:06-CV-00194-MBS (D.S.C., Order dated Mar. 17, 2006); <u>Riches v. Doe</u>, Case No. 1:07-CV-20042-FAM (S.D. Fla., Order dated Jan. 24, 2007). <u>Riches v. Simpson</u>, et al., Case No. 6:07-CV-1504 - Orl - 31 KRS (M.D. Fla., Order dated Sept. 24, 2007); <u>Riches v. Jena 6, et al.</u>, Civil Action No. 07-1656-A (WD La., Order dated Aug. 13, 2007); <u>Riches v. Swartz</u>, et al., Civil Action No. 7:07-CV-00379 (WD Va., Order dated Sept. 12, 2007). Therefore, based on the strikes plaintiff has accumulated, he may not file another complaint without prepayment of fees unless he is in "imminent danger of serious physical injury."

The sum and substance of the plaintiff's complaints are set forth as follows:

Clarksburg Riches Cases

1:08-CV-24. Complaint. 42 USC 1983. I seek a restraining order. I seek \$3 million. Khanani committed fraud in my name. I'm being exposed that can put me in harms way. I move to stop Khanani from bothering me. I pray for relief.

1:08-CV-26. Complaint. Under 42 USC 1983. I move for a restraining order TRO. Hof is the supervisor to Businessweek that wrote a 2007 Article about credit card fraud. It mentioned my name and location. This is invasion of privacy. I move to stop the circulation of Businessweek

1:08-CV-28 Complaint. Under 42 USC 1983. I seek a TRO Temporary Restraining order. Fraud was done under my name. Hino Josa knows my location in South Carolina. Hino Josa lives in Clarksburg. I don't want him to bother me anymore.

1:08-CV-34. Complaint Under 42 USC 1983 and a TRO Temporary Restraining order. Persico is after me from West Virginia. I seek protection for relief

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1:08-CV-38 Complaint Under 42 USC 1983/Bivens action and Temporary Restraining order. I have alot of people after me including defendant. I seek protection.

1:08-CV-48. Class Action Suit/Temporary Restraining order. Plaintiffs face bodily harm and imminent danger from Defendants. Plaintiffs have nightmares. Plaintiffs seek a restraining order.

1:08-CV-49. Class Action Suit/Temporary Restraining order. Plaintiffs seek a restraining order. Plaintiffs are in imminent danger. Plaintiffs are scared of defendants.

1:08-CV-50. Temporary Restraining Order. Plaintiffs seek protection. Plaintiffs face imminent danger. Plaintiffs seek a restraining order from defendant.

1:08-CV-53. Class Action suit pursuant to Fed R Civ P 20 & 23, 42 USC 1983/TRO/Preliminary Injunction. Plaintiffs got kicked, scratched, bitten, punched by defendants on 1-5-08 throughout the prison system by defendants. Defendants finance plaintiffs 2nd amendment rights being violated. Plaintiffs face imminent danger. Plaintiffs seek a restraining order.

1:08-CV-54. Class Action Suit pursuant to 42 USC 1983. On 12/11/07, Plaintiffs are illegally incarcerated. 8/16/07 Plaintiffs 6th amendment rights were violated by defendants. Plaintiffs due process was violated. Plaintiffs now face imminent danger and seeks a preliminary injunction temporary restraining order.

1:08-CV-55. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Temporary Restraining order/TRO. Plaintiffs face danger on 10-29-07. Plaintiffs 6th amendment rights were violated by defendant on 1-4-07 under Booker, Fan Fan and Aprendi. Plaintiffs seek a restraining order and preliminary injunction to keep defendant away.

1:08-CV-56. Class Action Suit pursuant to 42 USC 1983. Plaintiffs 6^{th} amendment rights were violated on 12/11/07 in West Virginia. Plaintiffs face cruel and unusual punishment. The food in prison on 10/4/07 was undercooked. Plaintiffs got sick. Plaintiffs seek a restraining order from defendants and a preliminary injunction.

1:08-CV-57. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs at FCI Gilmore, FCI Beckley, and FCI Williamsburg are getting threatened by defendants. Plaintiffs are illegally incarcerated by defendants. On 4-6-07 plaintiffs face imminent danger. Plaintiffs seek a restraining order and preliminary injunction.

1:08-CV-59. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs 6th amendment rights have been violated by defendants under Blakely v. Washington on 12-10-06. Plaintiffs face imminent danger by defendants for conspiring with the Justice department to blackmail, threat, extort plaintiffs in West Virginia. Plaintiffs seek a restraining order and preliminary Injunction.

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1:08-CV-60. Class Action Suit Pursuant to Fed R. Civ P 20 & 23 42 USC 1983 TRO Preliminary Injunction. Plaintiffs face imminent danger since 10-22-07. Defendant's threatened Plaintiffs with bodily harm and torture. Plaintiffs are illegally incarcerated by defendants. Plaintiffs are subjected to daily torture, which violates plaintiffs civic rights. Plaintiffs seek a restraining order and preliminary injunction against defendants.

1:08-CV-63. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs face imminent danger from defendants and FCI Williamsburg. Plaintiffs are subjected to being celled up with mix races. This causes racial tension. Plaintiffs were celled with black inmates, this causes fights, which takes away good time, and justifies defendants keep plaintiffs in prison longer so plaintiffs get abused, threatened, extorted, blackmailed by Dupri the mastermind. Plaintiffs seek a restraining order.

1:08-CV-64. Class Action Suit pursuant to 42 USC 1983. Defendants and FCI Williamsburg allow violent gangs and convicted sex offenders to be housed with non-violent inmates, this is unconstitutional. Plaintiffs seek a safe environment and not to be housed with murderers. Plaintiffs have been scared at FCI Williamsburg since Feb. 2003. Plaintiffs face imminent danger and seeks a restraining order.

1:08-CV-65. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs face a deliberate indifference under farmer v. Brennan. Defendants work at the Bureau of Prisons and force plaintiffs and inmates with over crowding. Plaintiffs caught staph infection on 1-1-07 by defendants neglect. Plaintiffs seek a transfer, a preliminary injunction against prison abuse.

1:08-CV-66. Class Action Suit pursuant to Fed R. Civ P 20 & 23, 42 USC 1983 Preliminary Injunction/TRO. Plaintiffs receive 24 hour abuse/torture/beatings/isolation by defendants and FCI Williamsburg guards and supporters since Jan 2006. Plaintiffs civil rights are violated by Defendants on 1/13/08. Plaintiffs are endangered by defendants. Plaintiffs seek a restraining order and preliminary injunction.

1:08-CV-67. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Class Action suit Plaintiffs file. On 4-16-07, 5-23-07, 7-7-07, 8-28-07, 12-30-07 - Plaintiffs got threatening letters, plaintiffs civil rights were violated by defendants on 1-15-08. Plaintiffs seek a restraining order.

1:08-CV-68. Class Action Suit pursuant to Fed R. Civ P 20 & 23, 42 USC 1983 Preliminary Injunction/TRO. Plaintiffs 6th amendment rights were violated under Booker and Fan Fan by Defendants on 12/18/07. Defendants threatened Plaintiffs on 1/3/08. Defendants violated Plaintiffs due process to the courts on 1/4/08. Plaintiffs face imminent danger and seek a TRO from defendants.

1:08-CV-70. Class Action Suit Pursuant to Fed R. Civ P. 20 & 23 42 USC 1983/ preliminary Injunction/ TRO. On 12-10-07, 8-17-07, and 9-23-07 Defendants threatened plaintiffs. Plaintiffs

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8th amendment rights are violated under cruel and unusual punishment. Plaintiffs seek a restraining order. Defendants plan to do damage.

1:08-CV-71. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs face imminent danger from defendants for threats received on 1-5-08, 12-18-07, 12-17-07, 12-16-07 by defendants. Plaintiffs face danger and seek a restraining order from these inmates.

1:08-CV-72. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs 6th amendment rights are violated under Booker and Fgi fan. Defendants threatened Plaintiffs with harm, threats of hanging, fire, arson, sabotage. Plaintiffs seek a restraining order and injunction.

Elkins Riches Cases

2:08-CV-18. Class Action Suit Pursuant to Fed. R. Civ. P. 20 Temporary Restraining Order/due process violation. Plaintiffs face imminent danger from defendants. Defendants are violating Plaintiffs due process in January. Plaintiffs civil rights were violated in December Plaintiffs seek a restraining order against Defendant because of their daily threats. Plaintiffs pray for relief.

2:08-CV-22. Class Action/Preliminary Injunction/TRO. Plaintiffs face imminent danger from Defendants. 1-2-08, Defendants placed threats. Plaintiffs seek a restraining order

2:08-CV-23. Class Action Suit/Plaintiffs seek a restraining order Plaintffs face imminent danger from letter threats. Plaintiffs are in fear of defendants.

2:08-CV-24. Class Action Suit. Plaintiffs seek a restraining order. Plaintiffs are in imminent danger from Defendants. Plaintiffs seek relief.

2:08-CV-26. Class Action Suit Pursuant to Fed R Civ P 20 & 23, 42 USC 1983/TRO/Preliminary Injunction. Plaintiffs due process and 14th amendment rights were violated by defendants on the following dates; 3-18-07, 4-19-07, 5-5-07, and 10-21-07. Plaintiffs get assaulted in prison on defendants orders. Plaintiffs seek a restraining order and preliminary injunction

2:08-CV-27. Class Action Suit pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO Plaintiffs are scared to death on 12-12-07. Defendants are conspiring with the Bureau of prison Plaintiff's in FCI's in West Virginia and in South Carolina have overcrowding, no health care on defendants orders. Plaintiffs 8th amendment rights are violated. Plaintiffs seek a restraining order.

2:08-CV-28. Class Action Suit Pursuant to Fed R Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs due process rights to the courts have been violated. Plaintiffs can't address the courts, this is a constitutional violation. Defendants are threatening Plaintiffs. Plaintiffs seek a TRO/Preliminary Injunction Against Defendants

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2:08-CV-29. Class Action Suit pursuant to Fed. R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO on 1-17-07 Plaintiffs received threats. on 8-29-07 Plaintiffs 6th amendment rights were violated. On 10-30-07 Plaintiffs due process was violated. Plaintiffs seek a restraining order and preliminary injunction against defendants.

2:08-CV-30. Class Action Suit Pursuant to Fed R. Civ P. 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs 8th amendment rights were violated on 11-20-07. cruel and unusual Punishment on 12-4-07. Plaintiffs got threatened by defendant on 1-10-08, so Plaintiffs are now in imminent danger. seek a restraining order and preliminary injunction

2:08-CV-31. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Temporary Restraining Order/TRO Plaintiff's constitutional rights under the 8th amendment are violated since Jan 15, 2006. on 12-15-07, Defendants made threats towards Plaintiffs Plaintiffs face imminent danger and seek a restraining order and preliminary injunction.

2:08-CV-32. Class Action Suit Pursuant to Fed R. Civ P. 20 & 23 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs file this class action suit. On 1-16-06, Riches was assaulted by Defendants on federal property on 6-15-07. Nicol recieved threats by defendants regarding riches. The Federal Sentencing guidelines is unconstitutional. Plaintiffs seek a restraining order/Preliminary Injunction Against defendants Plaintiffs face danger and Bodily harm from a 1-10-08 threat.

2:08-CV-33. Class Action Suit pursuant to Fed R. Civ P 20 & 23 42 USC 1983/Preliminary Injunction/TRO Plaintiffs 14th amendment rights and due process rights were violated by Defendant's since Feb 1987. The Federal System has no parole, Plaintiffs are getting abused in west virginia. Plaintiffs face imminent danger and seek a restraining order against defendants and a preliminary Injunction.

2:08-CV-34. Class Action Suit Pursuant to Fed R civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Defendants violated Plaintiff's due process 14th amendment rights to the courts. Defendants are working with Anders v. California to take away attornies to help against abuses at FCI williamsburg. FCI williamsburg is a gulag. Plaintiffs are locked in solitary without due process. Plaintiffs need a restraining order Ja Rule is threatening Plaintiffs with extortion.

2:08-CV-35. Class Action Suit Pursuant to Fed R Civ P 20 & 23, 42 usc 1983/Preliminary Injunction/TRO Plaintiffs face imminent danger on 2-10-08 by Defendant's and FCI williamsburg. FCI Williamsburg guards put handcuffs too tight on Inmates, Plaintiffs are subjected to dialy shake downs, strip searches which violated Plaintiffs civil rights. Female guards pat down inmates, this is unconstitutional. Plaintiffs seek a restraining order Against the abuses in Prison since 10-5-07.

2:08-CV-36. Class Action Suit Pursuant to Fed R Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. FCI Williamsburg is violating Plaintiffs 8th amendment rights since Jan 2006. Defendants are guards who abuse inmates. Plaintiffs are mistreated due to FCI williamsburgs

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neglect. Plaintiffs are housed over 500 miles away from home and receive no proper diet. Plaintiffs seek a restraining order and preliminary injunction.

2:08-CV-37. Class Action suit Pursuant to Fed R. civ P 20 & 23, 42 usc 1983/Preliminary Injunction/TRO Plaintiffs are being extorted on 12-15-07. Plaintiffs due process is violated by Defendants on 1-5-08. Defendants are threatening to hurt Plaintiffs on 1-29-08, Plaintiffs are in imminent danger and Seek a preliminary injunction.

2:08-CV-38. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. 8th amendmendment rights were violated by Defendants on 1-6-08, Plaintiff's are denied proper medical care. Defendants won't treat Plaintiffs for Staph infection. Plaintiffs are experiencing abuse and neglect at FCI Williamsburg. Plaintiffs seek a restraining order

2:08-CV-39. Class Action suit Pursuant to Fed R. civ P 20 & 23, 42 usc 1983/Preliminary Injunction/TRO Spike lee is threatening Plaintiffs with extortion, bribery, threats on 10-4-07 Plaintiffs are scared. Klein violated Plaintiffs 8th amendment rights on 7-4-07. The Federal Sentencing guidelines is unconstitution. Plaintiffs seek a preliminary injunction Against Defendants.

2:08-CV-40. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs civil rights are violated by defendants. Defendants on 12-16-07. Inflicted harm to Plaintiffs at FCI Williamsburg. Riches and Rios-Rios are in danger and seek a restraining order/prelimiay injunction

2:08-CV-41. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 usc 1983/Preliminary Injunction/TRO On 9-14-07 and 1-21-08 Defendants made threats to Plaintiffs Plaintiffs are terrorfied of defendants and seeks a Preliminary Injunction/Temporary Restraining order

2:08-CV-42. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs are getting threatened on 1-4-08, 2-19-07, threatened by mail by defendant Retter on 5-11-07. Defendant Earle took Plaintiffs rights to the courts. Plaintiffs face imminent danger and seek a protection order against threats of violence, extortion, and bribery on 12-17-07.

Martinsburg Riches Cases

3:08-CV-16. Class Action Suit pursuant to Fed R.Civ.P 20 Temporary Restraining order. Plaintiffs file this class action suit. Giordano is a former mayor, making threats to plaintiffs, defendant is violating plaintiffs due process rights, Giordano violated plaintiffs 8th amendment rights under cruel and unusual punishment. Plaintiffs seek a restraining order.

3:08-CV-17. Class Action suit pursuant to Fed R.Civ. P 20 Preliminary Injunction/temporary restraining order. Plaintiffs file a class action suit. Plaintiffs 6 and 8th amendment rights are being

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violated by defendants. Plaintiffs due process is being violated. Plaintiffs are in imminent danger and seek a restraining order.

3:08-CV-19. Class Action Suit. Defendant has been threatening plaintiffs. Plaintiffs lives are in danger and face imminent threats. Plaintiffs seek a restraining order.

3:08-CV-20. Temporary Restraining Order/Class Action Suit. Class action suit. Temporary restraining order. Plaintiffs lives are in danger. Plaintiffs seek protection. Plaintiffs are in danger.

3:08-CV-21. Temporary Restraining Order. Plaintiffs lives are in danger. Plaintiffs have and need a restraining order. Defendants threatened plaintiffs.

3:08-CV-23. Class Action Suit Pursuant to Fed. R. Civ. 20 & 23, 42USC1983/Preliminary Injunction/TRO. Plaintiffs are abused on 1/20/07. Plaintiffs got extorted on 1/8/08. The federal sentencing guidelines are unconstitutional. Defendants are in a conspiracy to sabotage plaintiffs on 2/20/08. Plaintiffs face imminent danger, sees a TRO and preliminary injunctions.

3:08-CV-24. Class Action Suit Pursuant to Fed.. R. Civ. P. 20 & 23, 42USC1983/Preliminary Injunction/TRO. On the following dates plaintiffs civil rights were violated: 1-10-07, 2-14-07, 4-3-07, 7-8-07, 5-23-07. Defendants are kidnaping plaintiffs. Plaintiffs face imminent danger, so they seek a preliminary injunction, temporary restraining order.

3:08-CV-25. Class Action Suit Pursuant to Fed. R. Civ. P. 20 & 23, 42USC1983/Temporary Restraining Order/Injunction. Plaintiffs 1st amendment rights were violated by defendants on 1-29-07. Plaintiffs got threats by defendants in the mail on 3-14-07, 5-30-07, 7-18-07, 11-11-07, and 12-30-07. Plaintiffs are scared and seek a restraining order and injunction.

3:08-CV-26. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/Preliminary Injunction/TRO. On 1-14-08 plaintiffs got 3 threatening letters from defendants. Plaintiffs face imminent danger. These dates plaintiffs received danger 12-19-07, 12-23-07, 12-27-07, 11/10/07, 10/03/07, 4/10/06. Plaintiffs seek a restraining order and preliminary injunction from defendants

3:08-CV-27. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/Preliminary Injunction/TRO. Plaintiffs are illegally incarcerated under the 6th amendment Booker and Fan Fan. Defendants are kidnaping plaintiffs. Plaintiffs civil liberties are violated. Plaintiffs seek a restraining order and preliminary injunction.

3:08-CV-30. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/Preliminary Injunction/TRO. Plaintiffs 1st amendment rights are violated by defendants since Sep 13th, 2004. Plaintiffs are subjected to daily beatings, 500 miles away from home. Plaintiffs are forced to work prison labor by defendants. Plaintiffs face imminent danger and seek a preliminary injunction, temporary restraining order.

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3:08-CV-31. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/TRO/ Preliminary Injunction. Plaintiffs civil and constitutional rights were violated on 12/18/07 and12/26/07. Defendants violated plaintiffs 6th amendment rights under Booker and Fan Fan. Plaintiffs have been receiving threats from NAS on 1/5/07. Plaintiffs face imminent danger and seek a TRO/preliminary injunction against defendants.

3:08-CV-32. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/ Preliminary Injunction/TRO. Plaintiffs were threatened with bodily harm on 1-9-08, 12-28-07, and 12-21-07 by defendants. The federal sentencing guidelines is unconstitutional. On 1-5-07 plaintiffs 6th amendment rights under Booker and Fan Fan are violated. Plaintiffs are scared of defendants and seek a preliminary injunction/TRO.

3:08-CV-33. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/ Preliminary Injunction/TRO. .Defendants are working with Bureau of Prisons and FCI Williamsburg to not give plaintiffs any religion on 2-14-07. Plaintiffs can't practice their Jewish faith openly at FCI Williamsburg. Muslims can't pray in the library, religious books are censored. Defendants allow files to be burned on federal property for Indians Sweat Lodge. Plaintiffs lives are in danger and seek a restraining order.

3:08-CV-34. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/Preliminary Injunction/TRO. Plaintiffs 6th amendment rights under Booker and Fan Fan were violated by defendants on June 11, 2004. Plaintiffs sentences were enhanced millions of dollars in relevant conduct not proven by a jury, this is a 8th amendment violation being held at FCI Williamsburg illegally. FCI Williamsburg is violating plaintiffs due process rights. Plaintiffs seek a temporary restraining order. Plaintiffs lives are in danger.

3:08-CV-35. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983 /Preliminary Injunction/TRO. Plaintiffs lives are in danger from defendants at FCI Williamsburg. FCI Williamsburg has violent criminals and murders this is a civil rights violation. FCI Williamsburg guards don't wear gloves. Plaintiffs seek a restraining order and injunction.

3:08-CV-36. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/Preliminary Injunction/TRO. Plaintiffs 8th amendment rights are violated on 1/5/08. The federal system has no parole which is hurting plaintiffs rehabilitation on Dec. 4, 2007. Plaintiffs got threats on 10-26-07, 11-7-07, 1-1-1-08. Plaintiffs seek a restraining order from defendants bodily harm.

3:08-CV-39. Class Action Suit Pursuant to Fed. R. Civ. P. Rule 20 & 23, 42USC1983/TRO/Preliminary Injunction. Plaintiffs are scared, worried. Plaintiffs have nightmares of defendants. FCI Williamsburg is torture. The federal sentencing guidelines are unconstitutional. Plaintiff seek a restraining order against defendant.

3:08-CV-40. Class Action Suit Pursuant to Fed. R. Civ. P. 42USC1983 Preliminary Injunction/TRO FCI Williamsburg and defendants are creating a dangerous environment in prison. The tv's play Bet rap videos all day which creates racial tension, tables at chow time are based on

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race. Black guards beat white inmates, white guards hit black inmates. Defendants are threatening plaintiffs. Plaintiffs seek protection.

Wheeling Riches Cases

5:08-CV-32. Class Action Suit/Temporary Restraining Order. Comes now the plaintiffs in a class action suit seeking a Temporary Restraining order against defendants. Plaintiff Riches resides in Salters, SC. Plaintiff Haddy lives in Florence, S.C. Plaintiff Sprint Spectrum is located in Kingstree, S.C. Plaintiff's are a anti-fraud social networking group. Defendants have threatened Plaintiff's via the mail and email with bodily harm and physical threats and injury because of plaintiff's beliefs. This is a hate crime. This has been occuring every day since Jan 2007. Plaintiffs lives are in imminent danger Plaintiffs seek preliminary injunctive relief against defendants and compel defendants not to threaten or harass plaintiffs anymore.

5:08-CV-33. Class Action Suit/Temporary Restraining order. Comes now the Plaintiffs, seeking a Temporary Restraining order against Defendants. On 1-2-08 and 1-4-08 Defendants have threated all of the plaintiffs with bodily harm. Plaintiffs face imminent danger

5:08-CV-34. Class Action Suit/Temporary restraining order. Plaintiffs are in imminent danger. Plaintiffs seek a restraining order from defendants. Defendants stole plaintiff's identities on 12-30-07 and are getting store credit in Plaintiffs names at Ethan Allen. Plaintiffs lives are in danger and compel defendants to stop. Plaintiffs are scared.

5:08-CV-35. Class Action Suit Pursuant to Fed. R. Civ P20 Temporary Restraining Order/Preliminary Injunction. Plaintiffs civil and constitutional rights are being violated by Abu-Jamal. Plaintiffs are receiving threats are in imminent danger. Plaintiffs 6th amendment rights are being violated under Blakley v. Washington. Plaintiffs seek a restraining order.

5:08-CV-36. Class Action Suit Pursuant to Fed R Civ P.20 Temporary Restraining Order. Plaintiffs seek a restraining order against defendant. Defendant is violating Plaintiffs' civil and constitutional rights under Booker and Fan Fan, and 8th amendment rights for cruel and unusual Punishment. Plaintiffs are facing Imminent danger.

5:08-CV-38. Class Action Suit/Temporary Restraining order. Plaintiffs seek a restraining order. Plaintiffs face imminent danger from defendants. Plaintiffs are scared.

5:08-CV-39. Temporary Restraining Order. Plaintiffs face imminent danger. Class Action Suit. Plaintiffs seek protection and a Restraining order. Plaintiffs are scared of defendants. having nightmares.

5:08-CV-40. Temporary Restraining order. Plaintiffs are threatened by Defendants. Plaintiffs seek a restraining Order with this court. Plaintiffs face bodily injury.

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5:08-CV-43. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/TRO/Preliminary Injunction. Plaintiffs 6th & 8th amendment rights are violated everyday since feb 25th, 2003. Plaintiffs are experiencing torture from defendants on 10-21-07. Plaintiffs' got verbally attacked and seeks a restraining order and preliminary Injunction.

5:08-CV-44. Class Action Suit Pursuant to Fed R civ P 20 & 23, 42 USC 1983 /TRO/ Preliminary Injunction. On 12-12-07, 1-4-08, 11-07-07, 10-10-07, and 9-9-07, Plaintiffs 8th amendment rights were violated by defendants for cruel and unusual punishment. Plaintiffs face imminent danger. Plaintiffs seek a TRO and preliminary Injunction

5:08-CV-45. Class Action Suit Pursuant to Fed. R. Civ P 20 & 23, 42 USC 1983/Temporary Restraining Order/TRO. Plaintiffs face imminent danger from Defendant Defonte who threatens inmates with extortion, threats, and blackmail. Plaintiffs are scared of defendant. Plaintiffs seek a restraining order and preliminary Injunction Against him.

5:08-CV-46. Class Action Pursuant to Fed R.CivP 20 & 23 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs face bad medical care in prison. Defendants mistreat plaintiffs on 5-26-07. Plaintiffs got staph infection and a rash due to defendants neglect. Plaintiffs seek a restraining order and preliminary Injunction. Plaintiffs face danger.

5:08-CV-47. Class Action Suit Pursuant to Fed R.Civ P 20 & 23, 42 USC 1983/Temporary Restraining order/TRO. Plaintiffs file a class action suit. The federal sentencing guidelines are unconstitutional. Plaintiffs in FCI's in West Virginia and South Carolina are suffering daily beatings and torture by defendants. Plaintiffs seek a restraining order and preliminary Injunction.

5:08-CV-48. Class Action Pursuant to Fed R Civ P 20 & 23, 42USC 1983/Preliminary Injunction/TRO. Plaintiffs 6th and 8th amendment rights are violated by defendants on 2-16-06. Plaintiffs civil liberties in prison are violated. Plaintiffs are subjected to high phone rates, rotten food, Plaintiffs had beatings by defendants. Plaintiffs face imminent danger and seek a restraining order.

5:08-CV-49. Class Action Suit Pursuant to Fed R.Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO Plaintiffs seek a restraining order and preliminary Injunction Against defendants and Bureau of prison Employees from mistreatment and torture since Feb 25th, 2003. Plaintiff's 8th amendment rights for cruel and unusual punishment are violated by defendants

5:08-CV-50. Class Action Suit Pursuant to Fed R Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Kanye West is in a conspiracy with Bureau of Prisons and FCI Williamsburg to mistreat Plaintiffs families when they visit FCI Williamsburg. West strip searches Plaintiffs visitors. Plaintiffs and families are forced to pay over inflated vending machine prices, the bathrooms are filthy. West threated Plaintiffs with harm if they whistle blowed on 1-1-08. Plaintiffs are tired of prison abuses and seek a Injunction restraining order Against torture.

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5:08-CV-51. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Defendants and the Bureau of Prisons at FCI Williamsburg are violating Plaintiffs civil rights since Jan 2006. Defendants beat, abuse, inmates. Plaintiffs are held against there will by defendants, if Plaintiffs leave FCI Williamsburg, Defendants will kill them. Plaintiffs seek a restraining order and preliminary Injunction.

5:08-CV-52. Class Action Suit Pursuant to Federal R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. FCI Williamsburg is violating Plaintiffs civil rights. Defendants and Williamsburg is not giving Plaintiffs proper medical attention. Plaintiffs received Herpes on 4-10-07 during a outbreak. Defendants won't help Plaintiffs medical needs. Plaintiffs are sick and seek a Injunction compelling Plaintiffs to receive Proper medical care.

5:08-CV-53. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs 6th amendment rights are being violated. On 1-1-08 Defendants Flaharty are officers at FCI Williamsburg who mistreat Plaintiffs. Handcuffs too tight, baton beatings, strip searches, this is unconstitutional. Plaintiffs seek a restraining order and injunction.

5:08-CV-54. Class Action Suit Pursuant t Fed R. Civ P. 20 & 23, 42 USC 1983/Preliminary Injunction. Plaintiffs are subjected to civil rights abuse on 1-3-08 by Plaintiffs Kidnappers, defendants, FCI Williamsburg officials. FCI Williamsburg mistreats prisoners with Plaintiffs Kidnappers. This is a 8th amendment violation. Plaintiffs seek a restraining order.

5:08-CV-55. Class Action Suit Pursuant to Fed R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs 1st, 4th, 6th, 8th, and 14th amendment rights under Booker and Fan Fan and Farmer v. Brennan. Plaintiffs seek help from defendants. 1-8-08, 12-16-07 Received threats. Plaintiffs seek a Preliminary Injunction TRO Against defendants.

5:08-CV-56. Class Action Suit Pursuant to Fed. R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs seek a restraining order, preliminary Injunction Against defendants. Defendants plan to write a movie about Plaintiffs, without Plaintiffs consent, then threatened Plaintiffs. Plaintiffs are scared, worried, have nightmares, and are in fear. Plaintiffs seek a restraining order.

5:08-CV-57. Class Action Suit Pursuant to Fed. R Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Plaintiffs are endangered by defendants from abuse on 1-23-08, 1-25-08, and 12-02-07. Plaintiffs face imminent danger and seek a restraining order and injunction compelling defendants and FCI Williamsburg to stop torturing Plaintiffs.

5:08-CV-58. Class Action Suit Pursuant t Fed. R. Civ P 20 & 23, 42 USC 1983/Preliminary Injunction/TRO. Defendant's are convicted murders who plan to transfer to FCI Williamsburg to threatened plaintiffs on 2-15-08. Plaintiffs face imminent danger and seek a restraining order.

The above cases were assigned to the undersigned by separate order.

Not only do the Plaintiff's assertions in the above complaints not qualify as a claim of imminent danger of serious physical injury, they are irrational and wholly incredible. All the actions should be dismissed for failure to pay the filing fee contemporaneously with the complaints as required by 28 U.S.C. § 1915(g) because at least seven actions previously filed by plaintiff have been dismissed as frivolous.

Accordingly, the Court hereby orders:

(1) The complaints in each of the above-styled civil actions be **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. §1915(g). <u>See Dupree v. Palmer</u>, 284 F. 3d 1234, 1236 (11th Cir. 2002)("The proper procedure is for the district court to dismiss the complaint without prejudice when it denies the prisoner leave to proceed *in forma pauperis* pursuant to the three strikes provision of §1915(g). The prisoner cannot simply pay the filing fee after being denied *in forma pauperis* status. He must pay the filing fee at the time he *initiates* the suit.").

(2) That the Clerk of the Court file a copy of this Memorandum Opinion and Order in each of the civil actions referenced in the style of this case.

(3) Plaintiff is advised that he may appeal this Memorandum Opinion and Order. Any written Notice of Appeal must be filed with the Clerk of this Court pursuant to Federal Rules of Appellate Procedure 3 and 4. Failure to file a timely Notice of Appeal waives the right to an appeal.

The Clerk of the Court is directed to mail a copy of this Memorandum Opinion and Order to the *pro se* plaintiff by certified mail, return receipt requested, to his last know address as shown on the docket sheet.

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DATED: March 12, 2008

/s/ Frederick P. Stamp, Jr. FREDERICK P. STAMP, JR. UNITED STATES DISTRICT JUDGE