

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-7118

LAWRENCE E. THOMPSON.,

Claimant-Appellant,

v.

ERIC K. SHINSEKI, Secretary of Veterans Affairs,

Respondent-Appellee.

Appeal from the United States Court of Appeals for Veterans Claims in
07-2103, Judge William A. Moorman.

ON MOTION

PER CURIAM.

ORDER

Lawrence E. Thompson, a prisoner, moves for leave to proceed in forma pauperis. The United States has not responded.

The Prison Litigation Reform Act of 1995 (PLRA), Pub. L. No. 104-134 §§ 801-10, 110 Stat. 1321 (1996) imposes several limitations on a prisoner's ability to file lawsuits and pursue appeals in federal courts. One of those limitations, known as the "three strike" provision, prohibits a prisoner from proceeding in forma pauperis if he has had three or more actions or appeals in federal courts dismissed as frivolous, malicious, or for failure to state a claim, unless the prisoner faces imminent danger of serious physical harm. 28 U.S.C. § 1915(g).

Thompson is a frequent litigant whose frivolous complaints have barred or limited his ability to file in the United States Court of Appeals for the Fifth Circuit, See

Thompson v. Pollard, 74 F.3d 1238 (5th Cir. 1995) (noting that Thompson is a frequent litigator and barring him from filing appeals without prior permission).

Because Thompson has filed at least three frivolous actions in the federal courts in the past, he is prohibited by the PLRA from proceeding in forma pauperis. Therefore, his motion will be denied and his case will be dismissed unless he pays the court's docketing fee within 30 days from the date of filing of this order.

Accordingly,

IT IS ORDERED THAT:

The motion is denied. Without receipt of payment of the court's docketing fee within 30 days from the date of filing of this order, Thompson's appeal will be dismissed.

FOR THE COURT

AUG 14 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Lawrence E. Thompson
Jeanne E. Davidson, Esq.

s20

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

AUG 14 2009

JAN HORBALY
CLERK