

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20010
Summary Calendar

ANTHONY EUGENE GILL,

Plaintiff-Appellant,

versus

JAMES A. COLLINS, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-95-CV-3109)

September 16, 1998

Before KING, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Anthony Eugene Gill, Texas prisoner # 647051, is **BARRED** from proceeding *in forma pauperis* (IFP) under the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g), because, on at least three prior occasions while incarcerated, Gill has brought an action or appeal in a court of the United States that was dismissed as frivolous or for failure to state a claim upon which relief could be granted. See *Gill v. Thornton*, No. 96-11478 (5th Cir. June 17, 1997) (unpublished; appeal dismissed as frivolous in case dismissed

* Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

by district court as frivolous); *Gill v. Texas Dep't of Criminal Justice*, No. 95-20723 (5th Cir. Jan. 23, 1996) (unpublished; affirming district court's dismissal of § 1983 action as frivolous); see also *Adepegba v. Hammons*, 103 F.3d 383, 387-88 (5th Cir. 1996) (dismissal of appeal as frivolous in case dismissed by district court as frivolous counts as two strikes; affirmance of district court's dismissal as frivolous counts as one strike).

Accordingly, Gill's IFP status is **DECERTIFIED**, and he may not proceed IFP in any civil action or appeal filed while he is in prison unless he is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g). The appeal is **DISMISSED**.

Gill has 30 days from the date of this opinion to pay the full appellate filing fee of \$105 to the clerk of the district court, should he wish to reinstate his appeal.

IFP DECERTIFIED; APPEAL DISMISSED