

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

September 3, 2021

Lyle W. Cayce  
Clerk

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No. 20-20489

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MICHAEL CARDORA ROBERSON,

*Plaintiff—Appellant,*

*versus*

ASSISTANT WARDEN JAMES E. BLAKE, JR., *Individually and in official capacity*; ASSISTANT WARDEN BRANDLEY K. HUTCHINSON, *Individually and in official capacity*; CORRECTION OFFICER III CHRISTIAN A. DICKINSON, *Individually and in official capacity*; CORRECTION OFFICER V ELIZABETH Z. ALLEN, *Individually and in official capacity*,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:20-CV-2383

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Before STEWART, HAYNES and HO, *Circuit Judges.*

PER CURIAM:\*

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-20489

Michael Cardora Roberson, Texas prisoner # 2167695, has filed a motion for leave to proceed in forma pauperis (IFP) on appeal as a sanctioned litigant following the district court's dismissal pursuant to 28 U.S.C. § 1915(g) of his 42 U.S.C. § 1983 action. Roberson argues that he faces an imminent danger of serious bodily injury and that the threat does not need to rise to the level of an Eighth Amendment violation to satisfy the § 1915(g) exception. Roberson also alleges that he filed prior grievance forms about threats from fellow inmates in the past against him and his family. His speculative and conclusory allegations are insufficient to make the imminence showing required to avoid application of the three strikes bar under § 1915(g). *See Baños v. O'Guin*, 144 F.3d 883, 884-85 (5th Cir. 1998).

Accordingly, Roberson's motion for leave to proceed IFP on appeal is DENIED. For the same reasons, his appeal from the district court's dismissal of his § 1983 complaint is frivolous and is DISMISSED. *See 5TH CIR. R. 42.2; Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997). Roberson is WARNED that frivolous, repetitive, or otherwise abusive filings will invite the imposition of other sanctions, which may include dismissal, monetary sanctions, and restrictions on his ability to file pleadings in this court and any court subject to this court's jurisdiction. *See Coghlan v. Starkey*, 852 F.2d 806, 817 n.21 (5th Cir. 1988).