

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 01, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MATTHEW A. BLEVINS,

Plaintiff,

v.

MELISA HOLDWAY, BRIANNE  
BAUGHN, KATHY JAMES, and  
PATRICK STRAND,

Defendants.

NO: 2:22-CV-157-RMP

ORDER DISMISSING ACTION

**§ 1915(g)**

Plaintiff Matthew A. Blevins, along with co-Plaintiff Naomi Sue White Eagle, prisoners at the Airway Heights Corrections Center, filed an initial Civil Rights Complaint on June 27, 2022. ECF No. 1. On June 28, 2022, this Court directed the District Court Clerk to sever the case and ordered Plaintiffs to proceed in two separate civil actions. ECF No. 3. On September 19, 2022, the Court granted Plaintiff leave to proceed *in forma pauperis*, advised him of the deficiencies of his *pro se* Civil Rights Complaint, and directed him to amend or voluntarily dismiss the Complaint within sixty (60) days. *See* ECF Nos. 12 and 13.

1 The Court cautioned Plaintiff that if he failed to amend his complaint as  
2 directed, the Court would dismiss it for failure to state a claim under 28 U.S.C. §§  
3 1915(e)(2) and 1915A(b)(1). ECF No. 13 at 10–11. Plaintiff did not comply with  
4 the Court’s directives and has filed nothing further in this action. Therefore, it  
5 appears that Plaintiff has abandoned this litigation.

6 For the reasons set forth above and in the Order to Amend or Voluntarily  
7 Dismiss Complaint, ECF No. 13, **IT IS ORDERED** that this action is  
8 **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief  
9 may be granted under 28 U.S.C. § 1915(e)(2).

10 Pursuant to 28 U.S.C. § 1915(g) a prisoner who brings three or more civil  
11 actions or appeals which are dismissed as frivolous or for failure to state a claim  
12 will be precluded from bringing any other civil action or appeal *in forma pauperis*  
13 “unless the prisoner is under imminent danger of serious physical injury.” 28  
14 U.S.C. § 1915(g). **Plaintiff is advised to read the statutory provisions of 28**  
15 **U.S.C. § 1915. This dismissal of Plaintiff’s complaint may count as one of the**  
16 **three dismissals allowed by 28 U.S.C. § 1915(g) and may adversely affect his**  
17 **ability to file future claims in forma pauperis.**

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