

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

Dec 13, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SOPHIA BRETT LAFERRIERE,
a.k.a. SCOTT LAFERRIERE, DOC
#323638,

Plaintiff,

v.

AIRWAY HEIGHTS CORRECTION
CENTER OFFENDER BANKING,

Defendant.

No. 2:21-cv-00220-SMJ

ORDER DISMISSING ACTION

By Order filed November 4, 2021, the Court granted Plaintiff Sophia Brett LaFerriere the opportunity to file a second amended complaint or to voluntarily dismiss within thirty days. ECF No. 12. Plaintiff did not comply with the Court's directives, and, other than an unsolicited third statement of account, ECF No. 13, has filed nothing further in this action.

Plaintiff, currently a prisoner at the Airway Heights Corrections Center, is proceeding *pro se* and *in forma pauperis*. ECF No. 10. Defendant has not been served. The Court cautioned Plaintiff that the failure to amend as directed would result in the dismissal of the First Amended Complaint for failure to state a claim

1 upon which relief may be granted and that such dismissal would count as a dismissal
2 under 28 U.S.C. § 1915(g). ECF No. 12 at 15–16.

3 For the reasons set forth in the Court’s prior Order, ECF No. 12, **IT IS**
4 **ORDERED** that the First Amended Complaint, **ECF No. 11**, is **DISMISSED with**
5 **prejudice** for failure to state a claim upon which relief may be granted under 28
6 U.S.C. §§ 1915(e)(2) and 1915A(b)(1).


7 Pursuant to 28 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who
8 brings three or more civil actions or appeals that are dismissed as frivolous,
9 malicious, or for failure to state a claim will be precluded from bringing any other
10 civil action or appeal *in forma pauperis* “unless the prisoner is under imminent
11 danger of serious physical injury.” 28 U.S.C. § 1915(g). **Plaintiff is advised to read**
12 **the statutory provisions under 28 U.S.C. § 1915. This dismissal of Plaintiff’s**
13 **complaint may count as one of the three dismissals allowed by 28 U.S.C. §**
14 **1915(g) and may adversely affect his ability to file future claims.**

15 **IT IS SO ORDERED.** The Clerk’s Office is directed to enter this Order,
16 enter judgment, provide copies to *pro se* Plaintiff, and **CLOSE** the file. The Clerk’s
17 Office is further directed to provide a copy of this Order to the Washington State
18 Office of the Attorney General, Corrections Division. The Court certifies pursuant
19 to 28 U.S.C. § 1915(a)(3) that any appeal of this Order would not be taken in good
20 faith and would lack any arguable basis in law or fact.

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DATED this 13th day of December 2021.



SALVADOR MENDOZA JR.
United States District Judge