

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 19-20533



A True Copy
Certified order issued Aug 27, 2019

Lytle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

ELVIS WAYNE JONES,

Plaintiff - Appellant

v.

C. OVERSTREET, Commissioner; WARDEN INCUMBENT; LAURA
WELLS, Court Reporter; KRISTA STROVIE, Court Reporter; TOBBY
HARRIS, Incumbent - Warden's Head; J. BAKER, Lieutenant,

Defendants - Appellees

Appeal from the United States District Court for the
Southern District of Texas

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of August 27, 2019,
for want of prosecution. The appellant failed to timely pay the fee.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit

Casey A. Sullivan

By: _____
Casey A. Sullivan, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ENTERED

July 11, 2019

David J. Bradley, Clerk

ELVIS WAYNE JONES,

§

Plaintiff,

§

Civil Action No. H-19-2454

v.

§

C. OVERSTREET, *et al.*,

§

Defendants.

§

ORDER OF DISMISSAL

Plaintiff, a state inmate seeking leave to proceed *in forma pauperis*, filed this *pro se* section 1983 lawsuit alleging various unrelated violations of his rights.

Plaintiff is a “three strikes” inmate who is barred from proceeding *in forma pauperis* under section 1915(g). *See Jones v. Texas U.S. District Courts*, No. 18-40111 (5th Cir. 2018). Plaintiff’s pleading does not demonstrate that he was in imminent danger of serious physical injury at the time it was filed, and he may not proceed *in forma pauperis*.

This lawsuit is **DISMISSED WITHOUT PREJUDICE** pursuant to section 1915(g).

Any and all pending motions are **DENIED AS MOOT**. Plaintiff may move to reinstate this case upon payment of the full \$400.00 filing fee within twenty-eight days from date of this dismissal.

Signed at Houston, Texas, on this the 10th day of July, 2019.


KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**Additional material
from this filing is
available in the
Clerk's Office.**