

*Appendix B*

**United States Court of Appeals  
for the Fifth Circuit**

United States Court of Appeals  
Fifth Circuit

**FILED**

July 5, 2022

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 22-20245  
\_\_\_\_\_

MICHAEL G. PETERS,

*Plaintiff—Appellant,*

*versus*

MITAL K. BRAMMBATT,

*Defendant—Appellee.*

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:22-CV-830  
\_\_\_\_\_

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of July 5, 2022,  
for want of prosecution. The appellant failed to timely pay the filing fee.

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

*Rebecca L. Leto*

By: \_\_\_\_\_

Rebecca L. Leto, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

Appendix "A"

**ENTERED**

May 02, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MICHAEL G. PETERS,	§	CIVIL ACTION No.
(TDCJ–CID #02019190)	§	4:22-cv-00830
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
MITAL K.	§	
BRAHMBHATT,	§	
Defendant.	§	

MEMORANDUM ON DISMISSAL

Plaintiff Michael G. Peters is an inmate of the Stringfellow Unit of the Texas Department of Criminal Justice—Correctional Institutions Division. He sues Mital K. Brahmbhatt, alleging that Brahmbhatt was part of a criminal conspiracy to falsify medical records in November 2012, faxed those false records to an attorney, and caused Peters to be convicted of retaliation in 2015. He seeks \$200,000 in compensatory damages. Dkt 1.

Peters proceeds here *pro se*. He also moves to proceed *in forma pauperis*. Dkt 2. A national prisoner index shows that he has filed at least ninety petitions for a writ of *habeas corpus* and civil rights suits since 2015, many of which have been dismissed as frivolous or for failure to state a claim. Chief Judge Lee Rosenthal imposed a preclusion order on March 21, 2022, in civil action number 4:22-cv-0059, barring Peters from filing any new cases in this district without written authorization from a judge of this district.

Peters hasn't obtained written authorization to file this present action. And nothing in his pleadings shows that he

faces the type of “imminent danger of serious physical injury” that supports an exception to the payment of the filing fee. 28 USC § 1915(g). He is thus barred from filing his complaint without the payment of associated fees.

The complaint by Plaintiff Michael G. Peters is DISMISSED WITHOUT PREJUDICE as barred by the three-strikes provision of 28 USC § 1915(g). Dkt 1. The complaint will be reinstated if Peters pays the \$402 filing fee within thirty days of the entry of this Order.


The motion to proceed *in forma pauperis* is DENIED. Dkt 2.

Any other motions are DENIED AS MOOT.

The Clerk of Court must SEND a copy of this Order to the Manager of the Three-Strikes List for the Southern District of Texas at [Three\\_Strikes@txs.uscourts.gov](mailto:Three_Strikes@txs.uscourts.gov).

SO ORDERED.

Signed on April 29, 2022, at Houston, Texas.

  
Hon. Charles Eskridge  
United States District Judge