

Appendix B

United States Court of Appeals
for the Fifth Circuit



No. 22-20235

MICHAEL G. PETERS; SEALED JUVENILE,

Certified as a true copy and issued
as the mandate on Jun 28, 2022

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

Plaintiffs—Appellants,

versus

JUDGE DAVID HITTNER; STATE OF TEXAS,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:22-CV-584

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of June 28, 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"

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

United States District Court
Southern District of Texas

ENTERED

February 24, 2022

Nathan Ochsner, Clerk

MICHAEL G. PETERS,

Plaintiff,

V.

THE STATE OF TEXAS, *ET AL.*,

Defendants.

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3-3-2022
WROTE CORRESPONDENCE
TO FIRM OUT WHAT CASE
THIS IS?
CIVIL ACTION NO. H-22-0584

ORDER OF DISMISSAL

Michael G. Peters, a state prisoner proceeding *pro se* and seeking leave to proceed *in forma pauperis*, filed a civil lawsuit for alleged violations of his constitutional rights.

Plaintiff is a three-strikes litigant who is barred from proceeding *in forma pauperis* by 28 U.S.C. § 1915(g). *See Peters v. State of Texas*, Appeal No. 20-20481 (5th Cir. 2021). Plaintiff does not demonstrate that he was in imminent danger of serious physical injury at the time he filed the instant lawsuit, and he may not proceed *in forma pauperis*.

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

All pending motions are DENIED. Plaintiff may move to reinstate this case upon payment of the full \$402.00 filing fee within twenty-eight days from date of this dismissal.

Signed at Houston, Texas, on February 24, 2022,

~~Gray H. Miller~~
Senior United States District Judge

(Exhibit A)

United States District Court
Southern District of Texas

ENTERED

May 18, 2022

Nathan Ochsner, Clerk

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

MICHAEL G. PETERS, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-22-0584
§
THE STATE OF TEXAS, *ET AL.*, §
§
Defendants. §

ORDER

Plaintiff's application to proceed *in forma pauperis* on civil appeal (Docket Entry No. 9) is DENIED. Plaintiff is a frivolous litigant who is barred from proceeding *in forma pauperis* under 28 U.S.C. § 1915(g).

Signed at Houston, Texas, on May 18, 2022.

Gray H. Miller
Senior United States District Judge