

*Appendix B*

United States Court of Appeals  
for the Fifth Circuit

No. 22-20235



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

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

MICHAEL G. PETERS; SEALED JUVENILE,

*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  
WRITE CORRESPONDENCE  
TO FIND 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.

THE STATE OF TEXAS, *ET AL.*,

*Defendants.*

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CIVIL ACTION NO. H-22-0584

**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.

  
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Gray H. Miller  
Senior United States District Judge