

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GLENN LEE SELDEN,

Plaintiff,

v.

Case No: 2:18-cv-208-FtM-38CM

UNKNOWN DEFENDANT,

Defendant.

OPINION AND ORDER¹

This matter comes before the Court on Plaintiff Glenn Lee Selden's "Waiver of Costs Complaint (Prisoner Complaint)" ([Doc. 1](#)) filed on March 29, 2018. The Complaint, which is seven pages in length, with an additional 147 pages of exhibits attached (Docs. 1-1 through 1-3), references numerous federal statutes and letters and is wholly incomprehensible. It comprises various pages from unrelated correspondence, drawings, excerpts from articles or books, and notices and court orders from previous state and federal cases filed by Plaintiff. The Court has attempted, but cannot discern what claim Plaintiff is attempting to articulate or what relief he seeks. Plaintiff did not accompany filing his Complaint with a request to proceed *in forma pauperis*. Directing Plaintiff to amend his Complaint would be futile because Plaintiff is a three-strike litigant. Therefore,

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the Court will dismiss the Complaint without prejudice. Plaintiff may re-file the complaint in a new action accompanied by the requisite \$400 filing fee.

In pertinent part, The Prison Litigation Reform Act (PLRA) contains the following subsection:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claims upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

[28 U.S.C. § 1915\(g\)](#). The Court takes judicial notice of the following filings brought by Plaintiff in a federal court that qualify as a dismissal under § 1915(g):

- *Selden v. Federal Agent Brian Watson, et al.*, Case No. 6:09-cv-1834-18DAB, (M.D. Fla. Oct, 4, 2009) (finding action “lacks an arguable basis in law” and dismissing complaint “as frivolous”);
- *Selden v. Murray*, Case No. 8:09-cv-2207-JDW-AEP (M.D. Fla. Nov. 5, 2009) (dismissing complaint “for failure to state a claim”);
- *Selden v. Correctional Medical Authority, et al.*, Case No. [4:10-cv-143-RH/WCS](#), [2010 WL 3385254 *1](#) (N.D. Fla. August 25, 2010) (accepting report and recommendation finding complaint entirely fanciful and dismissing it pursuant to 28 U.S.C. § 1915(e)(2)(B));
- *Selden v. United States, CIA, et al.*, Case no. 11-00621 LEK/KSC (D. Hawaii Oct. 19, 2011) (finding complaint “completely frivolous and unconnected with reality” and dismissing it pursuant to [28 U.S.C. §§ 1915A\(b\) & 1915\(g\)](#)).

Because Plaintiff is currently incarcerated, has had three or more qualifying dismissals, and is not under imminent danger of serious physical injury, this action will be dismissed without prejudice to Plaintiff filing a new civil rights complaint form and paying the full \$400 filing fee at the time the complaint is filed.

Accordingly, it is now

ORDERED:

1. This case is **DISMISSED** without prejudice under [28 U.S.C. § 1915\(g\)](#).
2. The **Clerk of Court** is directed to terminate any pending motions, close this case, and enter judgment accordingly.

DONE and **ORDERED** in Fort Myers, Florida this 5th day of April, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies:
All Parties of Record
SA: FTMP-2