

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JEFFREY LAGRANDEUR,

Plaintiff,

v.

Case No.: 2:24-cv-668-SPC-NPM

J. STEIDER, MATHEWSON,
LEON and LIGHT,

Defendants.

OPINION AND ORDER

Jeffrey Lagrandeur is a Florida state prisoner, and he sues four state officials. After granting Lagrandeur leave to proceed *in forma pauperis*, Magistrate Judge Nicholas Mizell learned Lagrandeur misrepresented his litigation history by omitting eight lawsuits from the relevant section of his Complaint. Judge Mizell ordered Lagrandeur to show cause why this action should not be dismissed for abuse of the judicial process. Lagrandeur did not respond.

Based on the facts set out in Judge Mizell's Order to Show Cause (Doc. 10) and Lagrandeur's failure to respond to that order, the Court finds Lagrandeur abused the judicial process by misrepresenting his litigation history and thereby avoiding potential dismissal under the three-strikes rule set out in 28 U.S.C. § 1915(g). *See Allen v. Clark*, 266 F. App'x 815, 817 (11th

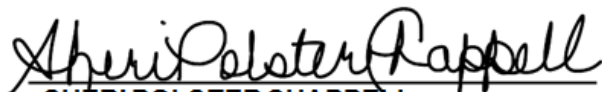
Cir 2008) (dismissals for failure to prosecute and abuse of the judicial process are considered strikes). The Eleventh Circuit has repeatedly found dismissal appropriate when a prisoner misrepresents his litigation history. *See Redmon v. Lake Cnty. Sheriff's Off.*, 414 F. App'x 221, 226 (11th Cir. 2011) (prisoner's failure to disclose a prior lawsuit was an abuse of the judicial process); *Shelton v. Rohrs*, 406 F. App'x 340, 341 (11th Cir. 2010) (same); and *Hood v. Tompkins*, 197 F. App'x 818, 819 (11th Cir. 2006) (same). The Court will thus dismiss this action without prejudice. Lagrandeur may file a new action, but he must either pay the filing fee or establish an exception to the three-strike rule.

Accordingly, it is now

ORDERED:

This action is **DISMISSED without prejudice**. The Clerk is **DIRECTED** to terminate any pending motions and deadlines, enter judgment of dismissal without prejudice, and close this case.

DONE and ORDERED in Fort Myers, Florida on December 16, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record