

NOTE: This order is nonprecedential.

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

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**ECHO WESTLEY DIXON,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2014-5056

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Appeal from the United States Court of Federal Claims in No. 1:13-cv-00843-NBF, Judge Nancy B. Firestone.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

Echo Westley Dixon moves for leave to proceed in forma pauperis. Dixon also moves to supplement his informal brief.

Dixon is currently incarcerated. Pursuant to the Prison Litigation Reform Act (PLRA), a prisoner is barred from proceeding in forma pauperis if three or more prior

actions or appeals have been dismissed as frivolous or malicious or for failure to state a claim. Section 1915(g) of 28 U.S.C. states:

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 claim 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 notes that three or more actions or appeals filed by Dixon have been dismissed as frivolous, malicious, or for failure to state a claim. *See Dixon v. Grant*, No. 08-CV-7364, ECF No. 16, 17 (S.D.N.Y. Feb. 17, 2010). Moreover, Dixon has not suggested that he is in imminent danger of serious physical injury. Thus, Dixon is barred by statute from proceeding in forma pauperis in this appeal. *See* 28 U.S.C. § 1915(g).

Accordingly,

IT IS ORDERED THAT:

- (1) If Dixon does not pay the \$ 505 filing fee within 30 days of the date of this order, his appeal will be dismissed.
- (2) Dixon's motion to supplement his informal brief is granted.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

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