

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-1914

JacQaus L. Martin,

Appellant,

v.

Randy Crosby; Peter Reed; Nebraska
Department of Correctional Services,

Appellees.

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* Appeal from the United States
* District Court for the
* District of Nebraska.
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* [UNPUBLISHED]
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Submitted: March 7, 2007
Filed: March 20, 2007

Before WOLLMAN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

In this prisoner civil rights matter, Jacqaus L. Martin appeals the district court's¹ dismissal of certain claims and its adverse grant of summary judgment as to remaining claims. Martin's lawsuit arose from a strip search in May 2000. He claimed excessive force was used during the search, and that the search was done in retaliation for his exercise of his First Amendment rights and constituted a sexual

¹The Honorable Laurie Smith Camp, United States District Judge for the District of Nebraska.

assault. Having carefully reviewed the record, we find--and Martin has provided--no basis for reversal.

We note that Martin has been previously determined to have three strikes under 28 U.S.C. § 1915(g), see Martin v. Neb. Dep't of Corr. Servs., No. 00-2551, 2000 WL 1665076 (8th Cir. Nov. 7, 2000) (unpublished per curiam), but that he has been permitted under section 1915(g)'s imminent-danger exception to proceed in forma pauperis (IFP) in the instant lawsuit and appeal, as well as in two other lawsuits and related appeals, based on his assertions that he is at risk for sexual assaults and unwarranted strip searches. Because the record in this case and the other two shows that his assertions are baseless, we alert the district court that, in future cases making similar claims, Martin ought to be required to demonstrate that he is truly in imminent danger before being allowed to proceed IFP.

Accordingly, we affirm. See 8th Cir. R. 47B.
