

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 06-4008

Frederick Pennington, Jr.,

Appellant,

v.

Wendy Kelly, Deputy Director, ADC;
Ray Hobbs, Deputy Director, ADC;
Grant Harris, Warden, Varner Unit,
ADC; Kim Lockett, Assistant Warden,
Varner Super Max, ADC; Correctional
Medical Services; Ivey, Lt., Diagnostic
Unit, ADC; Burton, Sgt., Diagnostic
Unit, ADC; Bratt, Sgt., Diagnostic Unit,
ADC, Southwest Regional Medical
Center; John Does, 1-8, Employees,
Southwest Hospital; Otis T. Gordon,
Dr., Jefferson Regional Medical Unit;
Joe Cobbs, Assistant Practitioner Nurse,
Jefferson Regional Medical Center,

Appellees.

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* Appeal from the United States
* District Court for the
* Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: February 19, 2008

Filed: March 10, 2008

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Arkansas inmate Frederick Pennington, Jr., appeals the district court's¹ orders revoking his in forma pauperis (IFP) status under 28 U.S.C. § 1915(g) and dismissing his 42 U.S.C. § 1983 lawsuit when he failed to pay the full filing fee. We rescind the grant of IFP status on appeal, and dismiss the appeal because Pennington is three-strikes barred and the record does not show that he was in imminent danger of serious physical injury at the time this appeal was filed. See 28 U.S.C. § 1915(g) (in no event shall prisoner bring appeal if he has, on three or more prior occasions while imprisoned, brought action or appeal that was dismissed on grounds that it was frivolous, malicious, or failed to state claim, unless inmate is under imminent danger of serious physical injury); Martin v. Shelton, 319 F.3d 1048, 1050 (8th Cir. 2003) (requisite imminent danger must exist at time appeal is filed). We also deny all pending motions.

¹The Honorable H. David Young, United States Magistrate for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).