

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

<b>LAZARO ROBBIO,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>CAUSE NO. 3:07-CV-165 AS</b>
<b>v.</b>	)	
	)	
<b>U.S. PENITENTIARY,</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION AND ORDER**

Lazaro Robbio, a *pro se* prisoner, submitted a complaint without payment of the filing fee. Mr. Robbio is barred from proceeding *in forma pauperis* by 28 U.S.C. § 1915(g) because he has on three or more prior occasions filed a complaint or appeal which did not state a claim for which relief could be granted. This is not news to Mr. Robbio; he has been so informed by this court on four prior occasions. In this court's order of June 1, 2006 in *Robbio v. J. Mejia Villalpando Recreation Department*, 1:06-cv-206 (N.D. Ind. filed May 22, 2006), he was denied leave to proceed *in forma pauperis* and informed that he had filed four district court cases and one appeal that qualified as "strikes" pursuant to § 1915(g). In that same case he was again informed in the orders of June 15, 2006; July 10, 2006; and August 3, 2006.

Litigants to whom § 1915(g) applies take heed! An effort to bamboozle the court by seeking permission to proceed *in forma pauperis* after a federal judge has held that § 1915(g) applies to a particular litigant will lead to immediate termination of the suit. Moreover, the fee remains due, and we held in *Newlin v. Helman*, 123 F.3d 429, 436-37 (7th Cir. 1997), that unpaid docket fees incurred by litigants subject to § 1915(g) lead straight to an order forbidding further litigation. Sloan's appeal is dismissed for failure to pay the appellate filing and docket fees. Until Sloan has paid in full all outstanding fees and sanctions in all civil actions he has filed, the clerks of all courts in this circuit will return unfiled all papers he tenders. This order does not apply to criminal cases or petitions challenging the terms of his confinement, and

may be reexamined in two years under the approach of *Newlin and Support Systems International, Inc. v. Mack*, 45 F.3d 185 (7th Cir. 1995).

*Sloan v. Lesza*, 181 F.3d 857, 859 (7th Cir. 1999).

The restriction imposed by this order does “not impede him from making any filings necessary to protect him from imprisonment or other confinement, but . . . [it does] not let him file any paper in any other suit . . . until he pays the money he owes.” *Support Sys. Int'l v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995)

For the foregoing reasons, the court:

(1) **DISMISSES** this case without prejudice;

(2) **ORDERS** the plaintiff **Lazaro Robbio, BOP # 50047-004** to pay (and the facility having custody of him to automatically remit) to the clerk of this court 20 percent of the money he receives for each calendar month during which he receives \$10.00 or more, until the \$350.00 filing fee is paid in full;

(3) **DIRECTS** the clerk of court to return, unfiled, any papers filed in any case by or on behalf of Joseph T. Williams-Bey (unless filed in a criminal or habeas corpus proceeding) until he has paid in full all outstanding fees and sanctions in all civil actions in any federal court; and

(4) **DIRECTS** the clerk of court to ensure that a copy of this order is mailed to the facility where the plaintiff is currently housed.

**IT IS SO ORDERED.**

**ENTERED: April 13, 2007**

**S/ ALLEN SHARP**  
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**ALLEN SHARP, JUDGE**  
**UNITED STATES DISTRICT COURT**