

AUG 05 2013

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>LONNIE CLARK WILLIAMS, Jr.,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>GOMEZ; et al.,</p> <p>Defendants - Appellees.</p>
---

No. 12-15376

D.C. No. 2:11-cv-00426-GEB-  
EFB

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Garland E. Burrell, Jr., District Judge, Presiding

Submitted July 24, 2013\*\*

Before: ALARCÓN, CLIFTON, and CALLAHAN, Circuit Judges.

California state prisoner Lonnie Clark Williams, Jr., appeals pro se from the district court’s order revoking Williams’s in forma pauperis status and dismissing her 42 U.S.C. § 1983 action alleging that prison officials poisoned her food and denied her access to medication. We have jurisdiction under 28 U.S.C. § 1291.

---

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

We review de novo the district court's interpretation and application of 28 U.S.C. § 1915(g), *Andrews v. Cervantes*, 493 F.3d 1047, 1052 (9th Cir. 2007), and for an abuse of discretion its denial of leave to proceed in formal pauperis, *O'Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990). We affirm.

The district court properly revoked Williams's in forma pauperis status because at least three of Williams's prior § 1983 actions were dismissed for failure to state a claim, and Williams did not plausibly allege that she was "under imminent danger of serious physical injury" at the time that she lodged the complaint. 28 U.S.C. § 1915(g); *see also Andrews*, 493 F.3d at 1055 (an exception to the three-strikes rule exists only where "the complaint makes a plausible allegation that the prisoner faced 'imminent danger of serious physical injury' at the time of filing").

The district court did not abuse its discretion in denying Williams's motion for reconsideration because Williams provided no new evidence or argument supporting the motion. *See Sch. Dist. No. 1J, Multnomah Cnty, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for granting a motion for reconsideration).

**AFFIRMED.**