

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Ponder v. Bloodsaw et al.

Ponder v. Bloodsaw, No. 5:25-cv-540-MTT-ALS (M.D. Ga. Feb. 18, 2026) · No. No. 5:25-cv-540-MTT-ALS ·
Decided February 18, 2026

SUMMARY

The United States District Court for the Middle District of Georgia dismissed Jeremiah D. Ponder’s 42 U.S.C. § 1983 action without prejudice because he had at least three qualifying strikes under the Prison Litigation Reform Act and had not alleged imminent danger of serious physical injury. The court also noted that the action appeared untimely, failed to state a claim, and sought unavailable relief.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	February 18, 2026
DOCKET	No. 5:25-cv-540-MTT-ALS
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se prisoner brought a 42 U.S.C. § 1983 action. The court considered whether he could proceed in forma pauperis under the Prison Litigation Reform Act's three-strikes provision and dismissed the action without prejudice.
STANDARD OF REVIEW	The court reviewed the allegations and court records at the preliminary screening and in forma pauperis stage to determine whether 28 U.S.C. § 1915(g) barred pauper status.
PRECEDENTIAL VALUE	unpublished
PARTIES	Jeremiah D. Ponder v. Sgt. Georgia Bloodsaw, et al.

TOPICS

prisoners rights

section 1983

civil procedure

statute of limitations

PRACTICE AREAS

prisoner civil rights

federal civil procedure

in forma pauperis litigation

QUESTIONS PRESENTED

1. Whether 28 U.S.C. § 1915(g) barred Ponder from proceeding in forma pauperis because he had at least three prior qualifying dismissals and had not alleged imminent danger of serious physical injury.
2. Whether dismissal without prejudice was the proper disposition after denial of in forma pauperis status.
3. Whether the complaint was independently subject to dismissal as untimely or for failure to state a claim.

HOLDINGS

1. A prisoner with three prior federal actions or appeals dismissed as frivolous, malicious, or for failure to state a claim may not proceed in forma pauperis unless the complaint alleges that the prisoner was under imminent danger of serious physical injury. Ponder had at least three qualifying strikes and did not allege facts establishing that exception.
2. When a prisoner is denied in forma pauperis status under § 1915(g), the action must be dismissed without prejudice rather than allowing the prisoner to pay the filing fee after filing.
3. The court did not need to decide the limitations issue, but observed that the action could also be dismissed as frivolous because the alleged event occurred nearly four years before filing and § 1983 claims in Georgia generally use a two-year limitations period.

KEY QUOTATIONS

“Plaintiff may not, however, proceed in forma pauperis because he has three strikes under the Prison Litigation Reform Act (“PLRA”) and has not alleged he is in imminent danger of serious physical injury.” (1)

“Plaintiff’s allegations regarding an event that occurred almost four years ago do not show an imminent danger of serious physical injury.” (4)

FACTUAL BACKGROUND

Ponder, incarcerated at Macon State Prison, alleged that on March 19, 2022, he found another inmate in obvious pain on a restroom floor and alerted Sgt. Bloodsaw. The complaint did not clearly explain how Bloodsaw or any other defendant responded or violated Ponder's constitutional or federal statutory rights. The relief requested included being made a rap superstar, a porn star, and an all-star player.

PROCEDURAL HISTORY

Ponder filed the action in the Northern District of Georgia concerning an incident at Macon State Prison. The Northern District transferred the action to the Middle District of Georgia because the relevant events occurred there. Ponder did not pay the filing fee or expressly move to proceed in forma pauperis, but the court assumed he

sought in forma pauperis status, determined that he had at least three qualifying strikes and had not shown imminent danger of serious physical injury, and dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- Medberry v. Butler, 185 F.3d 1189, 1192-93 (11th Cir. 1999)
- Rivera v. Allin, 144 F.3d 719, 723 (11th Cir. 1998)
- Jones v. Bock, 549 U.S. 199 (2007)
- Sutton v. District Attorney's Office, 334 F. App'x 278, 279 (11th Cir. 2009) (per curiam)
- White v. State of Colorado, 157 F.3d 1226, 1231 (10th Cir. 1998)
- Lewis v. Sullivan, 279 F.3d 526, 531 (7th Cir. 2002)
- Porter v. Ray, 461 F.3d 1315, 1323 (11th Cir. 2006)
- Clark v. State of Georgia Pardons and Parole Board, 915 F.2d 636, 640 n.2 (11th Cir. 1990)
- Hale v. Tallapoosa County, 50 F.3d 1579, 1582 (11th Cir. 1995)
- Bingham v. Thomas, 654 F.3d 1171, 1176-77 (11th Cir. 2011)
- Wade v. McDade, 106 F.4th 1251, 1255 (11th Cir. 2024) (en banc)
- Dupree v. Palmer, 284 F.3d 1234 (11th Cir. 2002)
- Ponder v. Keyth, No. 1:18-cv-2761-LMM (N.D. Ga. July 16, 2018), ECF No. 5
- Ponder v. LaGrua, No. 1:18-cv-03042-LMM (N.D. Ga. Sept. 15, 2018), ECF No. 13
- Ponder v. Allen, No. 1:18-cv-03207-LMM (N.D. Ga. Sept. 15, 2018), ECF No. 8