

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, WESTERN DIVISION

De’Amontae Manning v. Corrections Officer Tristin Pruitt

Case No. 3:25-cv-1867 · No. 3:25-cv-1867 · Decided November 25, 2025

SUMMARY

The United States District Court for the Northern District of Ohio dismissed De’Amontae Manning’s prisoner civil rights action alleging that a corrections officer denied him religious meals during Ramadan. The court denied in forma pauperis status under the Prison Litigation Reform Act’s three-strikes rule, finding no imminent danger of serious physical injury, and required payment of the full filing fee to reopen the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Western Division
WRITING FOR THE COURT	Jeffrey J. Helmick
JURISDICTION	United States District Court for the Northern District of Ohio, Western Division
DECIDED	November 25, 2025
DOCKET	3:25-cv-1867
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner filed a prisoner civil-rights complaint seeking damages and moved to proceed in forma pauperis. The district court denied pauper status under the Prison Litigation Reform Act’s three-strikes rule and dismissed the action.
STANDARD OF REVIEW	The court applied the statutory requirements of 28 U.S.C. § 1915(g) to determine whether the imminent-danger exception to the three-strikes rule was satisfied.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	De’Amontae Manning v. Corrections Officer Tristin Pruitt

TOPICS

- prisoners rights
- civil rights
- civil procedure
- damages

PRACTICE AREAS

civil procedure

prisoner civil rights

in forma pauperis proceedings

remedies

QUESTIONS PRESENTED

1. Whether Manning qualified to proceed in forma pauperis despite having at least three prior qualifying dismissals under 28 U.S.C. § 1915(g).
2. Whether Manning's allegations established that he was under imminent danger of serious physical injury when he filed the complaint.
3. Whether the action should be dismissed when the three-strikes rule applied and no imminent-danger exception was shown.

HOLDINGS

1. A prisoner who has brought at least 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 imminent-danger exception applies. Manning had at least three qualifying prior dismissals, so he was barred from proceeding in forma pauperis.
2. The imminent-danger exception requires facts supporting a reasonable inference that the prisoner faced a real and proximate danger of serious physical injury when the complaint was filed; allegations of past harm do not satisfy that requirement.
3. Because Manning was barred from proceeding in forma pauperis and did not qualify for the imminent-danger exception, the action was dismissed under 28 U.S.C. § 1915(g).

KEY QUOTATIONS

"To qualify for the exception to the three-strikes rule, a plaintiff must plead sufficient 'facts from which a court, informed by its judicial experience and common sense, could draw a reasonable inference' that the plaintiff was under a real and proximate danger of serious physical injury at the time he filed his complaint."

FACTUAL BACKGROUND

Manning, a state prisoner incarcerated at the Toledo Correctional Institution, alleged that he was denied appropriate religious meals during Ramadan on March 15, 2025. He filed this action in September 2025 and sought damages, proceeding without prepayment of fees and costs. The court found that he had at least three prior federal actions or appeals dismissed as frivolous, malicious, or for failure to state a claim, and that his complaint did not allege a real and proximate danger of serious physical injury at filing.

PROCEDURAL HISTORY

Manning filed a complaint alleging that Corrections Officer Tristin Pruitt denied him appropriate religious meals during Ramadan on March 15, 2025. He also moved to proceed without prepayment of fees and costs. The court found that Manning had at least three qualifying prior dismissals and had not shown that he faced imminent danger of serious physical injury when he filed this action in September 2025. The court denied the motion to

proceed in forma pauperis and dismissed the case, while permitting reopening if Manning paid the full filing fee and timely moved to reopen.

DISPOSITION

dismissed

CASES CITED

- Rittner v. Kinder, 290 F. App'x 796, 797-98 (6th Cir. 2008)
- Vandiver v. Prison Health Servs., Inc., 727 F.3d 580, 585 (6th Cir. 2013)
- Manning v. Henderson, No. 4:24-cv-795 (N.D. Ohio dismissed July 19, 2024)
- Manning v. Henderson, No. 3:24-cv-559 (N.D. Ohio dismissed Sept. 26, 2025)
- Manning v. Ellis, No. 3:24-cv-1170 (N.D. Ohio dismissed Sept. 18, 2024)

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION De'Amontae Manning, Case No. 3:25-cv-1867 Plaintiff v. ORDER
DISMISSING CASE Corrections Officer Tristin Pruitt, Defendant Pro se Plaintiff De'Amontae
Manning, a state prisoner incarcerated in the Toledo Correctional Institution, has filed a prisoner
civil rights complaint in this case seeking damages for his claim that on March 15, 2025,
Defendant Corrections Officer Tristin Pruitt denied Manning appropriate religious meals during
Ramadan.

(Doc. No. 1). With his complaint, Manning filed a motion to proceed in the case without
prepayment of fees and costs. (Doc. No. 2). Under the three strikes rule set out in 28 U.S.C. §
1915(g), a prisoner is prohibited from bringing a civil action in forma pauperis in federal court “if
the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility,
brought an action or appeal in a court of the United States that was dismissed on the grounds that
it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the
prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g); Rittner v.
Kinder, 290 F. App'x 796, 797-98 (6th Cir.

2008). To qualify for the exception to the three-strikes rule, a plaintiff must plead sufficient “facts
from which a court, informed by its judicial experience and common sense, could draw a
reasonable inference” that the plaintiff was under a real and proximate danger of serious physical
injury at the time he filed his complaint. Vandiver v. Prison Health Servs., Inc., 727 F.3d 580, 585
(6th Cir.

2013). Allegations that a prisoner was subjected to past harm do not suffice to demonstrate
imminent harm. Rittner, 290 F. App'x at 798. Manning is a frequent filer in federal court and has,

on at least three prior occasions while incarcerated, filed actions or appeals in federal court that were dismissed on grounds they were frivolous, malicious, or failed to state a claim upon which he may be granted relief.

See e.g., *Manning v. Henderson*, No. 4:24-cv-795 (N.D. Ohio dismissed July 19, 2024); *Manning v. Henderson*, No. 3:24-cv- 559 (N.D. Ohio dismissed Sept. 26, 2025); *Manning v. Ellis*, No. 3:24-cv-1170 (N.D. Ohio dismissed Sept. 18, 2024).

In this case, Manning does not assert or set forth allegations from which I reasonably conclude that he was in imminent danger of serious physical injury at the time he filed his complaint in this case in September 2025. Rather, the allegations in his complaint indicate that he was denied religious meals in March 2025 – nearly six months before he filed this case.

(Doc. No. 1 at 7). Accordingly, Manning’s motion to proceed without prepayment of fees and costs in this case is denied, (Doc. No. 2), and this action is dismissed under the three-strikes rule set out in 28 U.S.C. § 1915(g). If Manning wishes to proceed with this case, he must pay the full filing fee of \$405 and file a Motion to Re-Open within thirty (30) days of this Order.

The Clerk’s Office is directed not to accept a Motion to Re-Open unless it is accompanied by the full filing fee. No other documents will be accepted for filing unless the entire filing fee is paid and the Motion to Re-Open is granted. I further certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith. So Ordered. s/ Jeffrey J. Helmick
United States District Judge