

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS, DELTA DIVISION**

Nicholas Addison v. Norton Albert, et al.

Addison · No. 2:25-cv-00254-BSM-ERE · Decided February 3, 2026

SUMMARY

The United States Magistrate Judge recommends dismissal without prejudice of Nicholas Addison’s 42 U.S.C. § 1983 action against Norton Albert and others. The recommendation concludes that Addison, a three-strikes litigant under 28 U.S.C. § 1915(g), failed to establish imminent danger, pay the filing fee after being ordered to do so, or prosecute the case.

OPINION

Addison

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

DELTA DIVISION

NICHOLAS ADDISON PLAINTIFF

ADC #162451

V. NO. 2:25-cv-00254-BSM-ERE NORTON ALBERT, et al. DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedures for Filing Objections This Recommended Disposition (“RD”) has been sent to United States District Judge Brian S. Miller. You may file written objections to all or part of this RD. Any objections filed must: (1) specifically explain the factual and/or legal basis for the objection; and (2) be received by the Clerk of this Court within fourteen (14) days of the date of this RD. If you do not object, you risk waiving the right to appeal questions of fact. II. Discussion On December 16, 2025, pro se plaintiff Nicholas Addison, an Arkansas Division of Correction (“ADC”) inmate, filed this 42 U.S.C. § 1983 case. Doc. 1. Because Mr. Addison is a “three-striker,”¹ he can only proceed with this case without 1 The following dismissals constitute “strikes” for purposes of 28 U.S.C. § 1915(g): Addison v. Martin, et al., E.D. Ark. Case No. 3:15-cv-1-JM (Feb. 2, 2015 dismissal for failure to state a claim); Addison v. Martin, et al., E.D. Ark. Case No. 3:15-cv-91-DPM paying the filing fee only if he is currently in imminent danger of serious physical injury. See 28 U.S.C. § 1915(g); Ashley v. Dilworth, 147 F.3d 715, 717 (8th Cir. 1998). Mr. Addison’s complaint alleges that he was falsely disciplined in violation of his Eighth and Fourteenth Amendment rights. I previously determined that the facts alleged are not sufficient to show that he is imminent danger of serious physical injury, and I provided Mr. Addison thirty

days to pay the statutory filing fee. Doc. 2. To date, Mr. Addison has not paid the statutory filing fee, and the deadline to do so has passed. Doc. 2. II. Conclusion IT IS THEREFORE RECOMMENDED THAT:

1. Mr. Addison's claims be DISMISSED, without prejudice, based on his failure to: (1) comply with the Court's December 17, 2025 Order requiring him to pay the filing fee; and (2) prosecute this lawsuit.

2. The Clerk be instructed to close this case.

Dated 3 February 2026. lj Mf | ☐

ED STATES MAGISTRATE JUDGE

(June 19, 2015 dismissal for same); Addisson v. Martin, et al., E.D. Ark. Case No. 3:15- cv-96-DPM (June 12, 2015 dismissal for same).