

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Stanley Bocclair v. PREA Compliance Manager, et al.

Bocclair · No. 24-cv-01924-SMY · Decided March 25, 2026

SUMMARY

The court revoked Stanley Bocclair’s previously granted in forma pauperis status after determining that he had accumulated three qualifying strikes under 28 U.S.C. § 1915(g) and had not shown imminent danger of serious physical injury. The court dismissed several pending motions as moot, ordered payment of the remaining filing fee, and deferred screening of the Second Amended Complaint pending payment.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Staci M. Yandle
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	March 25, 2026
DOCKET	24-cv-01924-SMY
DISPOSITION	other
PROCEDURAL POSTURE	The court revisited Plaintiff's in forma pauperis status before screening his Second Amended Complaint under 28 U.S.C. § 1915A, determined that he had accumulated three qualifying strikes under § 1915(g), and considered whether he alleged imminent danger of serious physical injury.
STANDARD OF REVIEW	The court applied the statutory requirements of 28 U.S.C. § 1915(g), including whether the complaint alleged a real and proximate threat of serious physical injury that was imminent or occurring when the action was filed.
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; persuasive rather than generally precedential.
PARTIES	Stanley Bocclair v. PREA Compliance Manager, et al.

TOPICS

prisoners rights

section 1983

civil procedure

motions to dismiss

PRACTICE AREAS

prisoner civil rights

in forma pauperis proceedings

civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff had accumulated three qualifying strikes under 28 U.S.C. § 1915(g) before filing this action.
2. Whether Plaintiff alleged imminent danger of serious physical injury sufficient to invoke the exception to the three-strikes bar.
3. Whether Plaintiff's previously granted IFP status should be revoked and whether he must pay the remaining filing fee before screening his Second Amended Complaint.

HOLDINGS

1. A prisoner who has previously brought three actions dismissed as frivolous, malicious, or for failure to state a claim is barred from proceeding in forma pauperis unless the prisoner satisfies the statutory imminent-danger exception. The court determined that Plaintiff had three qualifying strikes before filing this case.
2. Plaintiff did not satisfy the imminent-danger exception because allegations of past harm, without a real and proximate threat that was imminent or occurring when the complaint was filed, do not overcome the three-strikes bar.
3. The court revoked Plaintiff's previously granted IFP status as improperly granted and required him to pay the remaining balance of the filing fee before the court would screen the Second Amended Complaint.

KEY QUOTATIONS

“Because Plaintiff “struck out” under § 1915(g) before filing this case, he is subject to the “three strikes” bar.”

“Allegations of past harm do not suffice” to show imminent danger; rather, “the harm must be imminent or occurring at the time the complaint is filed.”

“The Court REVOKES Plaintiff’s IFP status in this case as improperly granted and DISMISSES as MOOT three pending motions addressing incomplete filings”

FACTUAL BACKGROUND

Stanley Bocclair, an Illinois prisoner, alleged that another inmate touched or pressed against his buttocks during three encounters at Menard Correctional Center in January and February 2024. He filed this action in August 2024, after the alleged incidents, and later transferred away from Menard. The court found no allegation of continuing contact or an imminent threat when the action was filed.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 action and an IFP motion. The court initially granted IFP status, but his Complaint and First Amended Complaint did not survive screening; he was allowed to replead and filed a Second Amended Complaint. Before screening the Second Amended Complaint, the court revoked IFP status based on three prior qualifying dismissals, dismissed three pending motions as moot, ordered Plaintiff to pay the balance of the filing fee, and deferred screening.

DISPOSITION

other

CASES CITED

- *Ciarpaglini v. Saini*, 352 F.3d 328, 330 (7th Cir. 2003)
- *Bocclair v. Crain, et al.*, No. 24-cv-02371-SMY (S.D. Ill.)