

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

King Cedric Omar Snead v. Roanoke City, VA

Snead · No. 7:25CV00914 · Decided January 28, 2026

SUMMARY

The United States District Court for the Western District of Virginia denied King Cedric Omar Snead’s implied application to proceed in forma pauperis under 28 U.S.C. § 1915(g). The court concluded that Snead had three or more qualifying prior dismissals and had not alleged facts showing imminent danger of serious physical injury, so it dismissed the complaint without prejudice for failure to prepay the required filing and administrative fees.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	James P. Jones
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	January 28, 2026
DOCKET	7:25CV00914
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a civil-rights action under 42 U.S.C. § 1983 without prepaying the filing and administrative fees and submitted a statement of assets requesting leave to proceed in forma pauperis. The court reviewed eligibility under the Prison Litigation Reform Act's three-strikes provision, 28 U.S.C. § 1915(g).
STANDARD OF REVIEW	The court reviewed the complaint and the plaintiff's asserted eligibility for in forma pauperis status under 28 U.S.C. § 1915(g), applying the imminent-danger exception as a pleading requirement subject to ordinary notice-pleading principles.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	King Cedric Omar Snead v. Roanoke City, VA

TOPICS

prisoners rights

civil rights

section 1983

civil procedure

PRACTICE AREAS

prisoner civil rights

civil procedure

in forma pauperis proceedings

42 U.S.C. § 1983 litigation

QUESTIONS PRESENTED

1. Whether Snead was barred by 28 U.S.C. § 1915(g) from proceeding in forma pauperis because he had accumulated at least three qualifying dismissals.
2. Whether Snead's allegation of "false imprisonment," without supporting facts, satisfied the imminent-danger exception to § 1915(g).
3. Whether the complaint should be dismissed without prejudice when Snead neither prepaid the filing fees nor qualified for the imminent-danger exception.

HOLDINGS

1. A prisoner with three or more prior actions or appeals dismissed as frivolous, malicious, or for failure to state a claim may not proceed in forma pauperis unless the complaint shows that the prisoner faces imminent danger of serious physical injury. The court determined that Snead had numerous qualifying prior dismissals.
2. Snead's bare two-word allegation of "false imprisonment" did not satisfy the imminent-danger exception to § 1915(g), because it alleged no facts showing a real, proximate, and imminent threat of serious physical injury.
3. The court denied Snead's application to proceed in forma pauperis and dismissed the complaint without prejudice because he had not prepaid the required filing and administrative fees and had not shown imminent danger under § 1915(g).

KEY QUOTATIONS

"The imminent danger exception to the three strikes rule is "essentially a pleading requirement subject to the ordinary principles of notice pleading."'" (145)

"The exception must be construed narrowly and applied only "for genuine emergencies," where "a threat . . . is real and proximate" to the alleged official misconduct." (531)

FACTUAL BACKGROUND

Snead filed a prisoner civil-rights complaint against Roanoke City alleging only "false imprisonment," without context or supporting facts. He did not prepay the \$350 filing fee and \$52 administrative fee, instead submitting a statement of assets seeking installment payment through in forma pauperis status. The court found that he had filed more than twenty lawsuits in the district, many dismissed as frivolous, malicious, or for failure to state a claim, and that he did not allege any imminent danger of serious physical injury.

PROCEDURAL HISTORY

Snead filed the complaint using a prisoner civil-rights form and did not prepay the required fees. He alleged only two words, “false imprisonment,” and supplied no supporting facts. The district court found that Snead had accumulated more than three qualifying frivolous, malicious, or failure-to-state-a-claim dismissals and had not pleaded facts showing imminent danger of serious physical injury. It denied in forma pauperis status and dismissed the complaint without prejudice.

DISPOSITION

dismissed

CASES CITED

- Snead v. U.S.A., No. 7:23CV00500 (W.D. Va. Aug. 11, 2023)
- Snead, et al. v. U.S.A., No. 7:23CV00501 (W.D. Va. Aug. 11, 2023)
- Snead v. President “Biden” “Obama” “Trump,” No. 7:23CV00505 (W.D. Va. Aug. 11, 2023)
- Holley v. Combs, 134 F.4th 142, 145 (4th Cir. 2025)
- Newkirk v. Kiser, 812 F. App'x 159, 159 (4th Cir. 2020) (unpublished)
- Lewis v. Sullivan, 279 F.3d 526, 531 (7th Cir. 2002)
- Chase v. O'Malley, 466 F. App'x 185, 186 (4th Cir. 2012) (unpublished)
- Martin v. Shelton, 319 F.3d 1048, 1050 (8th Cir. 2003)

OPINION

CLERK’S OFFICE U.S. DIST. AT HARRISONBURG. V IN THE UNITED STATES DISTRICT COURT FILED FOR THE WESTERN DISTRICT OF VIRGINIA January 28, 2026 ROANOKE DIVISION LAURA A. AUSTIN, CL BY: S/J.Vasque: DEPUTY CLERK KING CEDRIC OMAR SNEAD,)) Plaintiff,) Case No. 7:25CV00914) V.) OPINION) ROANOKE CITY, VA,) JUDGE JAMES P. JONES) Defendant.) King Cedric Omar Snead, Pro Se Plaintiff.

The plaintiff, proceeding pro se, identifies himself as King Cedric Omar Snead. He has filed a civil rights action using the form designed for an inmate filing a lawsuit under 42 U.S.C. § 1983.' Snead has not prepaid the necessary filing costs to proceed with a civil rights action but has submitted a Statement of Assets, impliedly requesting in forma pauperis status under 28 U.S.C. § 1915, which would allow him to pay the filing fee through installments from his inmate trust account.

Upon my review, I conclude that he does not qualify to do so based on his current allegations and his prior frivolous filings in this court. Accordingly, I will summarily dismiss this lawsuit pursuant to 28 U.S.C. § 1915(g). ' Snead submitted an incomplete form by failing to include the first page.

Under the Prison Litigation Reform Act of 1995, all prisoner litigants suing government entities or officials must pay filing fees in full, either through prepayment or through installments withheld from the litigant’s inmate trust account. § 1915(b). Section 1915(g) denies the installment payment method to prisoners who have “three strikes” — those prisoners who have had three previous

cases or appeals dismissed as frivolous, malicious, or for failure to state a claim — unless the three-striker inmate shows “imminent danger of serious physical injury.” § 1915(g).

Snead has filed more than twenty lawsuits in this court, many of which have been dismissed as frivolous, malicious, or for failure to state a claim. See, e.g., *Snead v. U.S.A.*, No. 7:23CV00500 (W.D. Va. Aug. 11, 2023) (claims against the United States seeking trillions of dollars so that Snead can take care of actress “Marsie Mar” dismissed under 28 U.S.C. § 1915(e)(2)(B) as frivolous); *Snead, et al. v. U.S.A.*, No. 7:23CV00501 (W.D.

Va Aug. 11, 2023) (claims against the United States seeking help for himself and the daughters of Barack Obama dismissed under 28 U.S.C. § 1915(e)(2)(B) as frivolous); *Snead v. President “Biden” “Obama” “Trump,”* No. 7:23CV00505; (W.D. Va. Aug. 11, 2023) (incomprehensible claims dismissed under 28 U.S.C. § 1915(e)(2)(b) as frivolous).

Accordingly, Snead may only proceed in forma pauperis (without prepayment of the filing fee) if he states facts showing that he faces imminent danger of serious physical injury. § 1915(g). The imminent danger exception to the three strikes rule is “essentially a pleading requirement subject to the ordinary principles of notice pleading.” *Holley v. Combs*, 134 F.4th 142, 145 (4th Cir.

2025) (quoting *Newkirk v. Kiser*, 812 F. App’x 159, 159 (4th Cir. 2020) (unpublished)). The exception must be construed narrowly and applied only “for genuine emergencies,” where “a threat... is real and proximate” to the alleged official misconduct. *Lewis v. Sullivan*, 279 F.3d 526, 531 (7th Cir. 2002).

The prisoner must be seeking relief from and demonstrate a danger that is imminent at the time he files the complaint. *Chase v. O’Malley*, 466 F. App’x 185, 186 (4th Cir. 2012) (unpublished) (citing *Martin v. Shelton*, 319 F.3d 1048, 1050 (8th Cir. 2003) (finding that exception “focuses on the risk that the conduct complained of threatens continuing or future injury, not on whether the inmate deserves a remedy for past misconduct”).

Here, Snead provides a two-word allegation of “false imprisonment,” in the Complaint, without context or any supporting facts. Compl. 5, Dkt. No. 1. Not only has Snead failed to assert facts showing that he faces imminent danger of serious physical injury, but he has not included any factual allegations whatsoever. Such a conclusory claim cannot withstand dismissal under the imminent danger pleading requirement of § 1915(g) and his complaint must be dismissed.

For the stated reasons, I cannot find that Snead is eligible to proceed with this civil action without prepayment of the filing fee under the imminent danger exception in § 1915(g). Therefore, I must deny his application to proceed in forma pauperis under § 1915(g).

Because he has not prepaid the \$350 filing fee or the \$52 administrative fee required to bring a civil action in this court, I will dismiss the Complaint without prejudice. A separate Final Order

will be entered herewith. DATED: January 28, 2026 /s/ JAMES P. JONES Senior United States District Judge

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-western-district-of-virginia-roanoke-division-united-states-dis/2026/king-cedric-omar-snead-v-roanoke-city-va-xlgb5eok>