

**RCW 4.24.430 Actions by persons serving criminal sentence—
Waiver of filing fees—Effect of previous claims dismissed on grounds
claim was frivolous or malicious.** If a person serving a criminal
sentence in a federal, state, local, or privately operated
correctional facility seeks leave to proceed in state court without
payment of filing fees in any civil action or appeal against the
state, a state or local governmental agency or entity, or a state or
local official, employee, or volunteer acting in such capacity, except
an action that, if successful, would affect the duration of the
person's confinement, the court shall deny the request for waiver of
the court filing fees if the person has, on three or more occasions
while incarcerated or detained in any such facility, brought an action
or appeal that was dismissed by a state or federal court on grounds
that it was frivolous or malicious. One of the three previous
dismissals must have involved an action or appeal commenced after July
22, 2011. A court may permit the person to commence the action or
appeal without payment of filing fees if the court determines the
person is in imminent danger of serious physical injury. [2011 c 220
s 1.]