

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

F I L E D

May 20, 2010

No. 10-50232
Summary Calendar

Lyle W. Cayce
Clerk

ERIC FLORES

Plaintiff-Appellant

v.

UNITED STATES ATTORNEY GENERAL

Defendant-Appellee

Appeal from the United States District Court
for the Western District of Texas
3:10-CV-59

Before DAVIS, SMITH and DENNIS, Circuit Judges.

PER CURIAM:*

Appellant challenges the dismissal of his pro se petition which the district court dismissed as frivolous. Flores alleged that:

Persons residing outside the United States are directing political candidates known to be executive employees of the federal government or unregistered lobbyists to unlawfully conduct a scientific domestic study by using advanced technology with a direct signal to the satellite [sic] in outer space to calculate a genetic code or procedure to cause me or my immediate relatives severe pain

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 10-50232

equivalent in intensity to the pain accompanieing [sic] serious physical injury such as organ failure, impairment of bodily functions or even death.

* * * * *

The unnecessary and wanton infliction of pain constitutes cruel and unussual [sic] punishment in violation of the Eighth Amendment.

The district court dismissed the complaint as frivolous because it was “fanciful, fantastic, delusional and therefore baseless.” Flores repeats these fanciful statements in his brief to the court.

We agree completely with the district court’s characterizations of this case as frivolous and affirm its dismissal.

AFFIRMED.