

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

No. 17-20103

United States Court of Appeals
Fifth Circuit

FILED

November 6, 2017

ERIC FLORES,

Lyle W. Cayce
Clerk

Plaintiff-Appellant

v.

R. MOORE, Senior Warden; M. ROESLER, Senior Warden; J. PERALTA, Senior Warden,

Defendants-Appellees

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 4:16-CV-3385

Before SMITH, WIENER, and HAYNES, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant Eric Flores, Texas prisoner # 2051801, filed a motion for authorization to proceed in forma pauperis (IFP) following the dismissal of his 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915(g). Flores has raised only fanciful allegations, including claims that he has already been executed and that the defendants have utilized deadly technology to torture him and his mother, so he has failed to show that he should be allowed to proceed IFP on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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appeal under 28 U.S.C. § 1915(g) or that his appeal presents a nonfrivolous issue. *See Banos v. O'Guin*, 144 F.3d 883, 885 (5th Cir. 1998); *Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982). The motion for leave to proceed IFP is denied.

The facts surrounding Flores's IFP request are inextricably intertwined with the merits of the appeal. *See Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997). The appeal presents no nonfrivolous issues and is DISMISSED as frivolous. *See* 5TH CIR. R. 42.2. We have previously warned Flores that he would face sanctions, including monetary ones, if he continued to file frivolous or repetitive pleadings. We have also directed him to review all pending matters and move to dismiss any that are frivolous, repetitive, or otherwise abusive. *See Flores v. Director*, TDCJ, No. 16-20406 (5th Cir. May 30, 2017); *Flores v. TDCJ*, No. 16-20459 (5th Cir. May 30, 2017); *Flores v. Moore*, No. 16-11033 (5th Cir. May 30, 2017); *Flores v. Moore*, No. 16-20587 (5th Cir. June 26, 2017). Because Flores has ignored our warnings, IT IS FURTHER ORDERED that a SANCTION IS IMPOSED. Flores is ORDERED to remit a monetary sanction in the amount of \$100, payable to the clerk of this court. Flores is also BARRED from filing any pleading in this court or in any court subject to this court's jurisdiction until that sanction is paid in full, unless he first obtains leave of the court in which he seeks to file such pleading. Flores is further CAUTIONED that any future frivolous or repetitive filings in this court or any court subject to this court's jurisdiction will subject him to additional sanctions. He is again DIRECTED to review all pending matters and move to dismiss any that are frivolous, repetitive, or otherwise abusive.

IFP DENIED; APPEAL DISMISSED AS FRIVOLOUS; SANCTION IMPOSED.