

United States Court of Appeals
for the Fifth Circuit

No. 22-50676
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2022

Lyle W. Cayce
Clerk

ARTHUR HOOKS,

Plaintiff—Appellant,

versus

BARACK HUSSEIN OBAMA, FORMER PRESIDENT; MITCHELL
LANDRY, WHITE HOUSE AID; STEPHANIE LALONDE, PUBLIC
DEFENDER; MICHAEL ALLEN, DISTRICT ATTORNEY; COLORADO
SPRINGS POLICE DEPARTMENT,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:21-cv-00827

Before KING, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:*

Arthur Hooks appeals the dismissal of his complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B), which we review for abuse of

* This opinion is not designated for publication. *See* 5th Circuit Rule 47.5.

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discretion. *Brewster v. Dretke*, 587 F.3d 764, 767 (5th Cir. 2009). A complaint is “frivolous if it lacks an arguable basis in law or fact.” *Siglar v. Hightower*, 112 F.3d 191, 193 (5th Cir. 1997). The *in forma pauperis* statute accords judges the power to “dismiss those claims whose factual contentions are clearly baseless,” which include those “claims describing fantastic or delusional scenarios.” *Denton v. Hernandez*, 504 U.S. 25, 32 (1992) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327–28 (1989)) (analyzing § 1915(d), the predecessor to § 1915(e)(2)(B)).

Hooks asserts a conspiracy in which former President Barack Obama and Mitchell Landrieu,¹ currently Senior Advisor to the President, Joseph Biden, violated Hooks’s constitutional rights, the Americans with Disabilities Act (ADA), and the Federal Bribery Statute. Among other allegations, Hooks claims President Obama and Landrieu colluded to deny him an education and accommodations he was entitled to under the ADA.² He seeks \$200 million in damages and prays that President Obama and Landrieu be denied “presidential privileges” and prevented from ever holding office again.

In his Report and Recommendation, the magistrate judge found that Hooks’s claims are “based on fantastic or delusional scenarios in which Hooks attributes wrongdoing to powerful people who have no connection to him or his situation” and should be dismissed as factually frivolous. The district court adopted the Report and Recommendation after first conducting

¹ In his initial complaint, Hooks named Mitchell Landry as a defendant, which is how the defendant’s name appears on both the district court and appellate court docket; however, in subsequent pleadings and on appeal, Hooks refers to Landrieu by his correct name, Mitchell Landrieu.

² Hooks also makes several constitutional claims against a Colorado Springs public defender and district attorney, along with the Colorado Springs Police Department.

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“a *de novo* review of the entire case file in this action” and finding that Hooks “fails to provide any arguable basis in law or in fact that supports his allegations.” After conducting our own review of the record, we detect no error in these determinations.

AFFIRMED.