

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ERIC FLORES,

Plaintiff,

v.

UNITED STATES ATTORNEY GENERAL,
UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES, and PUBLIC
HEALTH SERVICE a/k/a SIERRA MEDICAL
CENTER,

Defendants.

Case No. 2:12-CV-575-BLW

**MEMORANDUM DECISION
AND ORDER**

INTRODUCTION

The Court has before it plaintiff Flores' application to proceed without payment of fees. For the reasons explained below, the Court will deny the application and dismiss this case.

ANALYSIS

The Court is required to screen complaints brought by litigants who seek in forma pauperis status. *See* 28 U.S.C. § 1915(e)(2). The Court is authorized to dismiss "at any time" a complaint that, among other things, "is frivolous." *See* 28 U.S.C. § 1915(e)(2)(B)(i).

During this initial review, courts generally construe pro se pleadings liberally, giving pro se plaintiffs the benefit of any doubt. *See Resnick v. Hayes*, 213 F.3d 443, 447

(9th Cir. 2000). Additionally, if amending the complaint would remedy the deficiencies, plaintiffs should be notified and provided an opportunity to amend. *See Jackson v. Carey*, 353 F.3d 750, 758 (9th Cir. 2003).

In this case, Flores alleges that the Government is using an orbiting satellite to alter his genetic code to cause various ailments. This action is clearly frivolous, and no conceivable amendment of the complaint would cure this defect.

ORDER

In accordance with the Memorandum Decision set forth above,

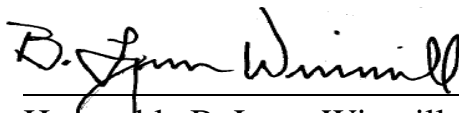
NOW THEREFORE IT IS HEREBY ORDERED, the application for leave to proceed in forma pauperis (docket no. 1) is DENIED.

IT IS FURTHER ORDERED, that this action be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

IT IS FURTHER ORDERED, that the Clerk close this case.



DATED: **October 28, 2013**


Honorable B. Lynn Winmill
Chief U. S. District Judge