

Tex. June 27, 2001) (dismissing complaint as barred by three strikes); *Lofton v. Johnson*, No. 99-10749, 1999 WL 1067585, at *1 (5th Cir. Oct. 18, 1999) (revoking Lofton's *in forma pauperis* status because he had accrued at least three strikes).

Although he was barred from proceeding *in forma pauperis* over twenty years ago, Plaintiff has continued to file lawsuits that were subsequently dismissed pursuant to 28 U.S.C. § 1915(g) because Plaintiff was not in imminent danger of serious physical injury. *See e.g., Lofton v. Crone*, No. 5:06-cv-216 (E.D. Tex. Dec. 14, 2006); *Lofton v. Clinton*, No. 1:00-cv-622 (E.D. Tex. June 27, 2001).

Plaintiff has also filed numerous writs of mandamus and successive habeas petitions in which he alleged that his civil rights were violated. The United States Court of Appeals for the Fifth Circuit warned and ultimately sanctioned Plaintiff for filing baseless mandamus petitions and requests for leave to file successive habeas petitions. *See In re: Lofton*, No. 02-40101 (5th Cir. Apr. 3, 2002) (sanctioning Plaintiff \$105.00 for filing frivolous and repetitive motions and barring him from filing successive habeas petitions until the sanction is paid); *In re: Lofton*, No. 02-40145 (5th Cir. Mar. 6, 2002) (sanctioning Plaintiff \$100.00 for filing frivolous and repetitive motions and barring him from filing mandamus petitions until the sanction is paid); *In re: Lofton*, No. 02-40099 (5th Cir. Feb. 28, 2002) (sanctioning Plaintiff \$105.00 for filing frivolous and repetitive motions and barring him from filing successive habeas petitions until the sanction is paid).

After he was sanctioned by the Fifth Circuit, Plaintiff continued his abusive litigation practices by filing lawsuits complaining that federal judges were conspiring with state and local officials to deprive him of his constitutional rights. *See Genus a.k.a. Lofton v. United States*, No. 2:06-cv-180, 2006 WL 2345996, at *1 (S.D. Tex. Aug. 10, 2006) (consolidated with *Genus v.*

United States, No. 4:06-cv-1157 (S.D. Tex.)). As noted by the United States District Court for the Southern District of Texas, Plaintiff filed nineteen lawsuits under various names between December 2003 and December 2005. *Id.* at *1. The Court found that Plaintiff’s allegations were “clearly irrational, save and except his deliberate attempt to deceive [the] Court as to his identity in filing [the] lawsuit.” *Id.* at *2. In that case, Plaintiff identified himself as “James Eric Genus.” He has also used the alternate spelling of “Lofton” for his last name. The Southern District of Texas dismissed the actions and barred plaintiff from filing any new lawsuits until the outstanding sanctions in the previous Fifth Circuit cases were paid. *Id.* The Court further barred Lofton from filing without prior permission from a district judge. *Id.* Lofton was also sanctioned in *Lofton v. TDCJ-ID*, No. 1:97-cv-093 (N.D. Tex. May 2, 1997) and *Lofton v. TDCJ-ID*, No. 1:97-cv-076 (N.D. Tex. May 2, 1997). In those cases, the District Court barred Lofton from filing any future civil rights cases without prior permission from a district judge.

For the reasons stated by the United States Magistrate Judge in his Findings, Conclusions, and Recommendation, the instant case is **DISMISSED** without prejudice pursuant to Rule 41(b), Federal Rules of Civil Procedure, for want of prosecution.

SO ORDERED this **8th** day of **August, 2018**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE