

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

June 30, 2008

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No. 08-50017  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

RHETT R. SMITH

Plaintiff-Appellant

v.

IOWA STATE REPUBLICAN PARTY, et al.

Defendants-Appellees

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:07-CV-00668

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Before HIGGINBOTHAM, BENAVIDES, and HAYNES, Circuit Judges.

PER CURIAM:\*

Rhett Smith appeals the dismissal of his case, filed in forma pauperis. For the reasons set forth below and more fully in the Magistrate Judge's Memorandum and Recommendation, we affirm.

Smith filed this case against several of the defendants and requested permission to appear in forma pauperis. He then sought leave to join the Texas

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Republican Party. The Magistrate Judge permitted him to proceed in forma pauperis and join the Texas Republican Party. However, he admonished Smith to file a more detailed complaint that stated claims within the jurisdiction and venue of the court and contained the level of factual recitations required by the Federal Rules of Civil Procedure as construed by the Court in *Bell Atlantic Corp. v. Twombly*, \_\_ U.S. \_\_, 127 S. Ct. 1955 (2007). See 28 U.S.C. §1915 (West 2006).

Instead, Smith simply filed an Amended Complaint containing only three paragraphs of allegations. In those paragraphs, he complained that his right to be a candidate<sup>1</sup> was violated by the defendants and that the defendants acted “under color of law.” He asserted vague constitutional rights. Further, he alleged his “First Amendment right to protection from Zionism and/or Christian-Zionists” under the establishment clause of the First Amendment. “Plaintiff further asserts an implied principle of ‘fairness in communication’ in that the Defendants . . . have acquiesced to the American Israeli Public Affairs Committee (AIPAC) and have allowed only Zionistic campaigns within the (two major political party) campaign coverage.”

Smith has wholly failed to allege claims stating a case for relief against any party. Despite clear and specific directives from the Magistrate Judge, he has filed a conclusory pleading without any of the information necessary to state a claim. Accordingly, the district court did not err in dismissing the Amended Complaint. The final judgment in this case is AFFIRMED.

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<sup>1</sup> It is unclear for what office and under what party label Smith contends he was a candidate. In a motion filed with the district court, he alleged he was denied the right to participate in the Iowa and Texas Republican “straw polls” for the Presidential race. However, a letter in the district court record from the Texas Republican Party wishes him the “best of luck in your primary against Misters Kelly, McMurrey and Noriega,” who were candidates for the Democratic nomination for the United States Senate from Texas.