

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

\_\_\_\_\_  
No. 16-20406  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit  
**FILED**  
May 30, 2017  
Lyle W. Cayce  
Clerk

ERIC FLORES,

Plaintiff-Appellant

v.

DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE-  
CORRECTIONAL INSTITUTIONS DIVISION,

Defendant-Appellee

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:16-CV-1409  
\_\_\_\_\_

Before JOLLY, DAVIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Eric Flores, Texas prisoner # 2051801, moves this court for authorization to proceed in forma pauperis (IFP) following the district court's dismissal of his 42 U.S.C. § 1983 complaint. Flores has also filed a motion for this court to order Texas Department of Criminal Justice officials to produce a certified copy of his inmate trust account. As Flores has raised only fanciful allegations, including claims that he has already been executed and that the defendants

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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have used technology from outer space to harm him and his family, he has failed to show that he should be allowed to proceed IFP on appeal under 28 U.S.C. § 1915(g) or that his appeal of the district court's judgment 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). Flores's motions are therefore denied.

The facts surrounding the IFP decision 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. 5TH CIR. R. 42.2. Flores is WARNED that any future frivolous, repetitive, or otherwise abusive filings will subject him to additional and progressively more severe sanctions. Flores is DIRECTED to review all pending matters and move to dismiss any that are frivolous, repetitive, or otherwise abusive.

MOTIONS DENIED; APPEAL DISMISSED AS FRIVOLOUS;  
SANCTION WARNING ISSUED.