

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

No. 16-20623

United States Court of Appeals
Fifth Circuit

FILED

September 5, 2017

Lyle W. Cayce
Clerk

ERIC FLORES,

Plaintiff-Appellant

v.

LORIE DAVIS, 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-2110

Before JOLLY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

Eric Flores, Texas prisoner # 2051801, moves for in forma pauperis (IFP) status to appeal the district court's dismissal of his 42 U.S.C. § 1983 complaint on the basis of the three-strikes bar in 28 U.S.C. § 1915(g). However, as there is no timely notice of appeal in this case,¹ we lack jurisdiction to consider Flores's claims. *See Bowles v. Russell*, 551 U.S. 205, 214 (2007). Accordingly, this case is DISMISSED with prejudice. Flores's motion for IFP is DENIED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

¹ The notice of appeal was received one week after the deadline with an illegible postmark. By order dated August 3, 2017, we gave Flores the opportunity to provide evidence of timely mailing of his notice of appeal. He failed to do so by the deadline given.