

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

No. 18-41179
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 18, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ALEXANDER GROYS,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:14-CR-111-1

Before SOUTHWICK, HAYNES, and HO, Circuit Judges.

PER CURIAM:*

Alexander Groys is serving a 78-month sentence imposed in 2015 for possession of child pornography. He appeals the district court's denial in 2018, of a so-called "Motion for Judicial Notice." The Government moves to dismiss the appeal as frivolous because neither the motion nor the appeal brief make sense.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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The cryptic motion did not seek specific relief from the judgment against Groys but vaguely questioned the jurisdiction of the district court and the constitutional authority of prosecutors. Lacking any coherent substance, it can be fairly construed only as meaningless, unauthorized, and without any jurisdictional basis. *See United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994). The appeal brief also fails to raise any relevant issue. The appeal lacks arguable merit and is therefore frivolous. *See Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983).

The Government's motion to dismiss the appeal is GRANTED, and the appeal is DISMISSED AS FRIVOLOUS. *See* 5TH CIR. R. 42.2. Groys is WARNED that additional frivolous filings in this court or the district court will result in monetary sanctions and limits on his access to this court and any court subject to this court's jurisdiction.