

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-2855
Conference Calendar

CARL B. ADAMS,

Plaintiff-Appellant,

versus

THE UNITED STATES GOVERNMENT,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-91-3716
- - - - -
(October 28, 1993)

Before POLITZ, Chief Judge, and SMITH and WIENER, Circuit Judges.

PER CURIAM:*

The Federal Tort Claims Act provides no relief for the claims raised by Carl B. Adams. See 28 U.S.C. § 2680(h) (barring suits based on allegations of misrepresentation or deceit). As the United States has not waived its sovereign immunity, Adams may not pursue his conspiracy claims. Williamson v. United States Dept. of Agriculture, 815 F.2d 368, 373-74, 376-78 (5th Cir. 1987). Any constitutional claims that Adams might allege

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

are barred, also. McAfee v. 5th Circuit Judges, 884 F.2d 221, 223 (5th Cir. 1989), cert. denied, 493 U.S. 1083 (1990).

Adams' motions to strike the Government's brief and to correct and supplement the record are DENIED. The appeal, which is without arguable merit, is DISMISSED AS FRIVOLOUS. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). See 5th Cir. R. 42.2.