

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

No. 18-50271
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 8, 2019

Lyle W. Cayce
Clerk

JAMES ERIC HAMPTON,

Plaintiff-Appellant

v.

JOHN KELLY; DARRELL DAWSON; ANTHONY EKEH,

Defendants-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:18-CV-31

Before DAVIS, HAYNES, and GRAVES, Circuit Judges.

PER CURIAM:*

Proceeding in forma pauperis (IFP), James Eric Hampton, Texas prisoner # 1188861, appeals the district court's dismissal of his 42 U.S.C. § 1983 suit under 28 U.S.C. § 1915(e) for failure to state a claim upon which relief could be granted. However, Hampton does not address the district court's reasons for judgment in his brief with this court but instead simply reiterates the claims and the facts underlying them. His failure to point to any

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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error in the district court's reasoning puts him in the same position as if he had not appealed the judgment at all. *See Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Because he has briefed no error in the district court's judgment, that judgment is AFFIRMED.

This district court's dismissal counts as one strike under 28 U.S.C. § 1915(g), as do two other district court dismissals of § 1983 suits filed by Hampton for failure to state a claim upon which relief could be granted. *See Coleman v. Tollefson*, 135 S. Ct. 1759, 1763 (2015); *Hampton v. Greene*, 725 F. App'x 318, 319 (5th Cir. 2018); *Hampton v. Kelly*, No. 6:17-CV-00325 (W.D. Tex. Dec. 12, 2017). Because Hampton now has three strikes under § 1915(g), he is barred under § 1915(g) from proceeding IFP in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. *See* § 1915(g).

AFFIRMED; § 1915(g) BAR IMPOSED.