

United States Court of Appeals for the Fifth Circuit

No. 26-60202
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 25, 2026

Lyle W. Cayce
Clerk

VANESSA FRICKEY,

Plaintiff—Appellant,

versus

X CORP.; TULSI GABBARD, *Director of National Intelligence, in her official capacity*; KASH PATEL, *Director of the FBI, in his official capacity*; WILLIAM HARTMAN, *Director of the NSA, in his official capacity*; MICHAEL BENZ, *in his official capacity*; ET AL.,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:25-CV-230

Before GRAVES, WILSON, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Vanessa Frickey seeks leave to proceed in forma pauperis (IFP) on appeal from the dismissal of her amended complaint and the denial of her motion for reconsideration under Federal Rule of Civil Procedure 59(e).

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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Frickey's complaint was approximately 121 pages long, named 28 defendants, and raised claims under 18 U.S.C. § 1985(3). She alleged a vast nationwide conspiracy among the defendants to violate her constitutional rights and silence her speech. The district court dismissed Frickey's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), upon finding that it was frivolous insofar as the allegations underlying her claims were fanciful, fantastic, wholly incredible, and lacking any grounding in reality. The court alternatively dismissed her complaint because it failed to comply with Federal Rule of Civil Procedure 8, asserted claims barred by sovereign and qualified immunity, improperly sought relief against "private actors for alleged constitutional violations," and failed "to plead the essential elements of a § 1985(3) conspiracy."

By moving to proceed IFP, Frickey is challenging the district court's certification that her appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997). Our inquiry into an appellant's good faith "is limited to whether the appeal involves legal points arguable on their merits (and therefore not frivolous)." *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (internal quotation marks and citation omitted).

In her IFP pleadings, Frickey continues to advance the irrational and incredible allegations that she raised in her amended complaint. She raises no nonfrivolous argument that the district court abused its discretion in dismissing her complaint as frivolous. *See Denton v. Hernandez*, 504 U.S. 25, 33 (1992); *Samford v. Dretke*, 562 F.3d 674, 678 (5th Cir. 2009); *see also Rogers v. Boatright*, 709 F.3d 403, 407 (5th Cir. 2013); *Howard*, 707 F.2d at 220. She also fails to meaningfully brief any challenge to the district court's alternative reasons for the dismissal of her complaint. As such, she has abandoned any such challenge. *See United States v. Whitfield*, 590 F.3d 325, 346 (5th Cir. 2009); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

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Frickey additionally fails to demonstrate any arguable abuse of discretion in the district court's denial of her Rule 59(e) motion for reconsideration insofar as her motion merely rehashed the same factual allegations and legal theories that she had previously raised in the district court and presented no newly discovered evidence. *See Templet v. HydroChem Inc.*, 367 F.3d 473, 477, 478-80 (5th Cir. 2004).

The instant appeal is without arguable merit and is therefore frivolous. *See Howard*, 707 F.2d at 220. Accordingly, the IFP motion is DENIED, and the appeal is DISMISSED. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2.