

FILED

SEP 28 2012

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Danny James Cohea,

Plaintiff,

v.

United States of America *et al.*,

Defendants.

Civil Action No.

12 1622

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint fails to state a claim upon which relief may be granted).

Plaintiff is a California state prisoner incarcerated in Corcoran, California. He sues the United States, former President William Jefferson Clinton, the 104th Congress, and a list of federal district and appellate judges in the Ninth Circuit under 42 U.S.C. § 1983. Since by its terms § 1983 applies only to state actors, which the named defendants are not, and a liberal reading of the complaint's allegations reveals no basis for construing the complaint against the individual defendants as brought under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), this case will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

Date: September 20, 2012

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