

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**APR 16 2018**

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

LIQIANG WEI,

Plaintiff,

v.

JEREMY BERG, *et al.*,

Defendants.

Civil Action No. 18-0627 (UNA)

**MEMORANDUM OPINION**

This matter is before the Court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. For the reasons stated below, the Court grants the application and dismisses the complaint.

Plaintiff alleges that, in 2017, he submitted two articles to Science/AAAS for publication in its journal. *See* Compl., Attach. 1 at 1. Defendants declined to publish the articles, *see id.*, Attach. 1 at 1-2, and plaintiff deems their actions a "violation of the laws of civic rights, namely, his "rights of freedom of speech and expression," *id.*, Attach. 1 at 3. He brings this action under 42 U.S.C. § 1983, *id.* at 2, and asks the Court "to order this Science journal to have [his] two articles . . . published . . . immediately," *id.*, Attach. 6. In addition, plaintiff demands "money damages . . . in the total amount of \$10,550 millions." *Id.*, Attach. 6.

In relevant part, Section 1983 provides:

Every person who, *under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia*, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the

Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress[.]

42 U.S.C. § 1983 (emphasis added). “To recover damages under § 1983, a plaintiff must generally show that the alleged deprivation was committed by a person acting under color of state law.” *Jordan v. District of Columbia*, 949 F. Supp. 2d 83, 89-90 (D.D.C. 2013). Plaintiff does not allege facts to show that the named defendants are employees or agents of a state or the District of Columbia. Absent a showing that the defendant editors are state actors, plaintiff’s claim under § 1983 fails. See *Chandler v. W.E. Welch & Assocs.*, 533 F. Supp. 2d 94, 103 (D.D.C. 2008); *Abu-Jamal v. Nat’l Pub. Radio*, 1997 U.S. Dist. LEXIS 13604 (D.D.C. Aug. 21, 1997), *aff’d*, No. 97-7198, 1998 U.S. App. LEXIS 15476 (D.C. Cir. July 8, 1998) (per curiam).

An Order is issued separately.



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United States District Judge

DATE:

4/12/18