

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2395

BRADLEY MEREDITH,

Plaintiff - Appellant,

v.

KRISTINA DEEDS; MATTHEW MARDRES,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Abingdon. James P. Jones, District
Judge. (1:15-cv-00053-JPJ)

Submitted: March 31, 2016

Decided: April 6, 2016

Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Bradley Meredith, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bradley Meredith appeals the district court's order dismissing his complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) (2012) for failure to state a claim. Pursuant to § 1915(e)(2)(B)(ii), a district "court shall dismiss [a] case at any time" if the action "fails to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2)(B)(ii). We review the dismissal of an action under § 1915(e)(2)(B)(ii) de novo. De'Lonta v. Angelone, 330 F.3d 630, 633 (4th Cir. 2003).

Because Meredith's complaint alleges violation of his constitutional rights, he presumably was attempting to bring a 42 U.S.C. § 1983 (2012) action. However, only those acting under color of state law are amenable to suit under § 1983. See West v. Atkins, 487 U.S. 42, 48 (1988). Here, Meredith has failed to allege that the defendants (the mother of his child and the mother's current partner) were state actors or provide any other legal basis for his suit.

Accordingly, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED