

United States Court of Appeals
For the Eighth Circuit

No. 14-1494

Kurt W. Ponzar

Plaintiff - Appellant

Sandra L. Ponzar

Plaintiff

v.

Matthew S. Layfield; Polsinelli Shughart, P.C.; Michelle Clardy; Sherry K.
Dreisewerd; Michael A. Campbell

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: September 17, 2014

Filed: September 29, 2014

[Unpublished]

Before LOKEN, MELLOY, and GRUENDER, Circuit Judges.

PER CURIAM.

Kurt Ponzar appeals from the district court's¹ order dismissing the federal claims in his removed civil complaint, upon motion by defendants, and remanding the state law claims to state court. On appeal, Ponzar raises only one issue: whether the district court properly dismissed a 42 U.S.C. § 1983 claim that was raised in his complaint. Having carefully reviewed the record, see Minn. Majority v. Mansky, 708 F.3d 1051, 1055 (8th Cir. 2013) (standard of review), we conclude that the claim was properly dismissed because Ponzar failed to allege facts which would support a conclusion that defendants--private attorneys--acted under color of state law while representing their client, a lender, in judicial proceedings against Ponzar. See Carlson v. Roetzel & Andress, 552 F.3d 648, 650-51 (8th Cir. 2008). The judgment of the district court is affirmed. See 8th Cir. R. 47B.

¹The Honorable Catherine D. Perry, Chief Judge, United States District Court for the Eastern District of Missouri.