

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JOE NATHAN GILES,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:16-cv-00264-KOB-SGC
)	
CRIME STOPPERS OF BIRMINGHAM,)	
ALA.,)	
)	
Defendant.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report on November 10, 2016, recommending this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. 21). The plaintiff has filed several objections to the report and recommendation. (Docs. 22, 27, 28, 30).

In his objections, the plaintiff reasserts his claims that defendant Crime Stoppers of Birmingham, Alabama released his name to a fellow inmate thereby violating company policy that anyone providing information related to a case would remain anonymous. (*Id.*). The plaintiff states he was labeled a “rat” in prison and prison officials placed him in segregation for his own protection. (Doc. 22 at 1; Doc. 30 at 1-2).

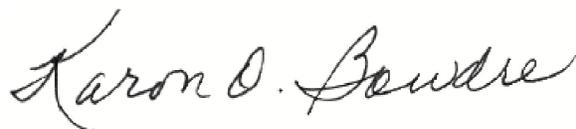
The plaintiff does not address in his objections the magistrate judge’s findings

that Crime Stoppers, the sole defendant in this action, is not a state actor and cannot be a proper defendant for purposes of § 1983. *See District of Columbia v. Carter*, 409 U.S. 418, 423 (1973); *Blanton v. Griel Mem'l Psychiatric Hosp.*, 758 F.2d 1540, 1542 (11th Cir. 1985). Even taking as true the plaintiff's claims that Crime Stoppers released his name in violation of its policy, the plaintiff cannot state a cause of action under § 1983 against a private actor without a showing that the private actor conspired with a state actor to deprive him of his constitutional rights. *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 931-32 (1982); *Dennis v. Sparks*, 449 U.S. 24, 27-29 (1980). Because the plaintiff has not made such a showing, his complaint against Crime Stoppers fails to state a claim for relief.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the objections thereto, the magistrate judge's report is **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), this action is due to be dismissed without prejudice for failing to state a claim upon which relief can be granted.

The court will enter a separate Final Order.

DONE and ORDERED this 14th day of March, 2017.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE