

ANTHONY W. CHANEY,  
HCJ 0774742,

Plaintiff,

*versus*

CEO OF FAMILY DOLLAR, *et al.*,  
Defendants.

§  
§  
§  
§  
§  
§

CIVIL ACTION H-15-2803

### Opinion on Dismissal

Anthony W. Chaney sues the chief executive and two employees of a Houston Family Dollar Store for civil rights violations. 42 U.S.C. § 1983. Chaney is proceeding as a pauper. 28 U.S.C. § 1915. He claims employees assaulted him without good cause. Chaney seeks damages.

In a section 1983 case, the plaintiff must show that someone acting under color of state law has deprived him of a right under the Constitution or laws of the United States. *Baker v. McCollan*, 443 U.S. 137 (1979). Chaney does not raise allegations that any of the defendants acted under color of state law. There is no diversity, federal-question, or other subject-matter jurisdiction raised in the complaint. Chaney fails to state a claim recognized at law. 28 U.S.C. § 1915A(b)(1). The case will be dismissed.

The Clerk will send a copy to the District Clerk for the Eastern District of Texas, 211 West Ferguson, Tyler, Texas 75702, Attention: Manager of the Three-Strikes List, by regular mail or e-mail.

Signed 10.12, 2015, at Houston, Texas.



Lynn N. Hughes  
United States District Judge