

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-3317

Jessie Johnson,

Appellant,

v.

Dion E. Wilson; Don Trimble; Alvin
Simes,

Appellees.

*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: December 7, 2005
Filed: December 20, 2005

Before MELLOY, HANSEN, and GRUENDER, Circuit Judges.

PER CURIAM.

Jessie Johnson appeals the district court's¹ 28 U.S.C. § 1915(e)(2)(B) preservice dismissal of his 42 U.S.C. § 1983 action. Having carefully reviewed the record and Johnson's submissions on appeal, see Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (de novo review), we conclude the judgment of the

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable J. Thomas Ray, United States Magistrate Judge for the Eastern District of Arkansas.

district court was correct. Johnson failed to allege any violation of his constitutional rights by a state actor and, thus, failed to state a cognizable section 1983 claim. See Kuha v. City of Minnetonka, 365 F.3d 590, 606 (8th Cir. 2003). Accordingly, we affirm. See 8th Cir. R. 47B.
