

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

TENTH CIRCUIT

August 3, 2010

Elisabeth A. Shumaker
Clerk of Court

LAURIE BORDOCK,

Plaintiff–Appellant,

v.

ARROWHEAD MALL,

Defendant–Appellee.

No. 10-7045
(D.C. No. 6:10-CV-00186-RAW)
(E.D. Okla.)

ORDER AND JUDGMENT*

Before **KELLY, McKAY**, and **LUCERO**, Circuit Judges.

Laurie Bordock appeals the district court’s dismissal of her civil rights claim as frivolous under 28 U.S.C. § 1915. Exercising jurisdiction under § 1291, we affirm.

Bordock filed a complaint alleging that Arrowhead Mall security violated her civil rights by removing her from the mall because she was homeless. Pursuant to its screening function under § 1915(e)(2)(B), the district court determined that her complaint was frivolous because 42 U.S.C. § 1983—the statute ostensibly giving rise to Bordock’s

* The case is unanimously ordered submitted without oral argument pursuant to Fed. R. App. P. 34(a)(2) and 10th Cir. R. 34.1(G). This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 32.1.

claim—extends only to violations committed under color of state law. See Nat'l Collegiate Athletic Ass'n v. Tarkanian, 488 U.S. 179, 191 (1988). Because the Arrowhead Mall is a private entity, Bordock's complaint lacked "an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989).

On appeal, Bordock fails to advance any reasoned argument challenging the district court's reasoning. Observing no error in the district court's conclusion, we **AFFIRM.**

Entered for the Court

Carlos F. Lucero
Circuit Judge