

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

MAR 20 2000

PATRICK FISHER
Clerk

RONALD V. GATLIN,

Plaintiff-Appellant,

v.

HARTLEY, NICHOLSON, HARTLEY,
AND ARNETT, P.A.,

Defendant-Appellee.

No. 99-3386

(D.C. No. 99-CV-2347-JWL)
(D. Kan.)

ORDER AND JUDGMENT*

Before **BALDOCK, HENRY, and LUCERO**, Circuit Judges.**

Plaintiff Ronald Gatlin filed a complaint pro se in federal district court, ostensibly under 42 U.S.C. § 1983, alleging that Defendant Hartley, Nicholson, Hartley, and Arnett, P.A., a private law firm, deprived him of numerous federal constitutional rights while representing his ex-wife in a state court custody matter concerning the couple's minor daughter. In a through Memorandum and Order, the district court dismissed Plaintiff's

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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. 36.3.

** After examining the briefs and appellate record, this panel has determined unanimously to honor the parties' request for a decision on the briefs without oral argument. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1(A)(2). The case is therefore ordered submitted without oral argument.

federal claims for lack of any “state action” attributable to Defendant as required under § 1983. The court declined to exercise jurisdiction over Plaintiff’s state law claims and dismissed them pursuant to 28 U.S.C. § 1367(c)(3). Plaintiff appealed. We exercise jurisdiction under 28 U.S.C. § 1291.

We have thoroughly reviewed the record on appeal, the district court’s order, and the parties’ briefs. We conclude that the district court properly dismissed Plaintiff’s complaint substantially for the reasons set forth in its Memorandum and Order.

Accordingly, the judgment of the district court is—

AFFIRMED.

Entered for the Court,

Bobby R. Baldock
Circuit Judge