

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 12-5336**September Term, 2016****1:12-cv-01622-UNA****Filed On:** December 12, 2016

Danny James Cohea,
Appellant

v.

United States of America, et al.,
Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Tatel and Kavanaugh, Circuit Judges, and Ginsburg,
Senior Circuit Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by the appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing and the motion for appointment of counsel, it is

ORDERED that the motion for appointment of counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED AND ADJUDGED that the district court's order entered October 5, 2012, be affirmed. As the district court correctly determined, 42 U.S.C. § 1983 by its own terms applies only to state actors, and, even liberally construed, the complaint provides no basis for individual liability under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). Nor did appellant state a claim for injunctive relief, or for relief under 42 U.S.C. § 1985 or 42 U.S.C. § 1986. See 28 U.S.C. § 1915A.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

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of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

By: /s/
Ken Meadows
Deputy Clerk/LD