

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 06-4333

WILLIAM D. TURNER,
Appellant

vs.

WILLIAM E. DONNELLY, THE PROTHONOTARY;
S. GERALD CORSO, THE PRESIDENT JUDGE;
MONTGOMERY COUNTY; MICHAEL FISHER,
THE HONORABLE ATTORNEY GENERAL, MR.

On Appeal From the United States District Court
For the Eastern District of Pennsylvania
(D.C. Civ. No. 04-cv-00823)
District Judge: Honorable Harvey Bartle, III

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B)
March 29, 2007
Before: MCKEE, FUENTES and WEIS, CIRCUIT JUDGES
Filed: April 18, 2007

OPINION

PER CURIAM

Appellant, William Turner, appeals from an order of the United States District Court for the Eastern District of Pennsylvania denying his “motion for leave to file a 15(c)(2) relation back rule.”

We have jurisdiction over this appeal pursuant to 28 U.S.C. § 1291.

Because Turner has been granted in forma pauperis status pursuant to 28 U.S.C. § 1915, we review this appeal for possible dismissal pursuant to 28 U.S.C. § 1915(e)(2)(B). An appeal may be dismissed if it has no arguable basis in law or fact. Neitzke v. Williams, 490 U.S. 319, 325 (1989).

Appellant’s “motion for leave to file a 15(c)(2) relation back rule” seeks to have the District Court address issues from his original complaint that Appellant asserts were “not addressed.” Appellant’s motion seeks relief pursuant to Fed. R. Civ. P. 15(c)(2) and Fed. R. Civ. P. 54(b).

The District Court sua sponte dismissed Appellant’s complaint as to two defendants pursuant to 28 U.S.C. § 1915A. Thereafter, the District Court granted the remaining defendants’ motion pursuant to Fed. R. Civ. P. 12(b)(6) and dismissed the complaint. We affirmed. C.A. No. 04-4010. Contrary to Appellant’s assertion, the District Court addressed the claims presented by Appellant in his complaint and dismissed the complaint in its entirety. Neither Rule 15(c)(2) nor Rule 54(b) provides relief from the entry of that judgment.

For the foregoing reasons, we will dismiss this appeal pursuant to 28 U.S.C. § 1915(e)(2)(B).