

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 07-1964

EUGENE E. CHATMAN,
Appellant

v.

ALLEGHENY COUNTY, PA;
RSI PROPERTY MANAGEMENT;
STEVEN BASKIN; KAREN BASKIN;
JAMES BUTLER; JUDITH BUTLER; DAVID K. RUDOV

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civil No. 05-cv-00277)
District Judge: Honorable Arthur J. Schwab

Submitted for Possible Dismissal Pursuant to 28 U.S.C. § 1915(e)(2)(B)
or Summary Action Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6
April 24, 2008

Before: AMBRO, FUENTES and JORDAN, Circuit Judges

(Opinion filed: May 22, 2008)

OPINION

PER CURIAM

Eugene Chatman, representing himself and proceeding in forma pauperis, filed a

complaint pursuant to 42 U.S.C. § 1983. The District Court dismissed it pursuant to 28 U.S.C. § 1915(e)(2)(B). Chatman appealed, and we dismissed his appeal under 28 U.S.C. § 1915(e)(2)(B), too. Chatman then petitioned the Supreme Court for a writ of certiorari, but his petition was denied.

Chatman recently returned to the District Court and filed a “motion for leave to file demand for jury trial.” Through his motion, Chatman was apparently trying to revive the claims he presented in his § 1983 complaint, although he also provided more specific information about how a state court allegedly wronged him by denying his demand for a jury trial. The District Court denied his motion. Chatman appeals in forma pauperis. In his notice of appeal, he explains that he wanted a jury trial in state court and in his District Court case, and he states that the District Court erred in previously dismissing his complaint.

We have jurisdiction over Chatman’s appeal under 28 U.S.C. § 1291. See Isidor Paiewonsky Assocs., Inc. v. Sharp Properties, Inc., 998 F.2d 145, 151 (3d Cir. 1993). However, we must dismiss it under 28 U.S.C. § 1915(e)(2)(B)(i) because it has no arguable basis in law or fact. See Neitzke v. Williams, 490 U.S. 319, 325 (1989). The District Court long ago dismissed Chatman’s complaint, we affirmed the order of dismissal, and the Supreme Court denied certiorari. Chatman was not entitled to a jury trial or other relief in his closed case.