

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 25-2578

MYRON N. CRISDON,
Appellant
v.

MICHAEL S. GREENBLATT

On Appeal from the United States District Court
for the District of New Jersey
(D.N.J. Civil Action No. 1:25-cv-01351)
District Judge: Honorable Karen M. Williams

Submitted Pursuant to Third Circuit LAR 34.1(a)
September 1, 2026

Before: MATEY, MONTGOMERY-REEVES, and NYGAARD, *Circuit Judges*

(Opinion filed: September 3, 2026)

OPINION*

PER CURIAM

Pro se appellant Myron N. Crisdon appeals from the District Court's dismissal of

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

his complaint. For the reasons that follow, we will affirm the District Court's judgment.

In 2025, Crisdon initiated a federal lawsuit in the District Court against Michael Greenblatt, his former landlord's attorney. Crisdon alleged that Greenblatt should have reported a judge's behavior in a prior state court proceeding where Crisdon claimed that the judge made incorrect rulings and committed unspecified fraud. Crisdon sought to bring a conspiracy claim pursuant to 42 U.S.C. § 1983, as well as a claim of fraud upon the court, against Greenblatt.¹ After granting Crisdon leave to proceed in forma pauperis, the District Court screened his complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) and dismissed it, with leave to amend his § 1983 claim. Rather than amend his complaint, Crisdon appealed.²

We will affirm.³ Even assuming that it could serve as the basis for a cause of action against a private attorney, Crisdon could not state a claim for fraud upon the court, as he made no factual allegations of fraud by Greenblatt in his complaint and thus did not

¹ Crisdon listed one additional claim in his complaint, which he does not discuss in his opening brief. He has thus forfeited review of that issue on appeal. *See In re Wettach*, 811 F.3d 99, 115 (3d Cir. 2016) (explaining that any issue that an appellant fails to develop in an opening brief is forfeited).

² By filing a notice of appeal rather than amending his complaint within the thirty days provided by the District Court, Crisdon stood on his complaint, and we therefore have appellate jurisdiction. *See Berke v. Bloch*, 242 F.3d 131, 135-36 (3d Cir. 2001); *Batoff v. State Farm Ins. Co.*, 977 F.2d 848, 851 n.5 (3d Cir. 1992); *Borelli v. City of Reading*, 532 F.2d 950, 952 (3d Cir. 1976) (per curiam).

³ We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over the dismissal of a complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim upon which relief could be granted. *See Allah v. Seiverling*, 229 F.3d 220, 223 (3d Cir. 2000).

allege that Greenblatt deceived the court in any way. *See Herring v. United States*, 424 F.3d 384, 386 (3d Cir. 2005) (“[W]e will employ a demanding standard for independent actions alleging fraud upon the court requiring: (1) an intentional fraud; (2) by an officer of the court; (3) which is directed at the court itself; and (4) that in fact deceives the court.”).

Crisdon also could not state a § 1983 conspiracy claim, as he made only conclusory statements asserting that Greenblatt somehow conspired with the state court judge to violate Crisdon’s civil rights.⁴ *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007) (requiring a complaint to include “enough facts to state a claim to relief that is plausible on its face”). Although “a private party who willfully participates in a joint conspiracy with state officials to deprive a person of a constitutional right acts ‘under color of state law’ for purposes of § 1983,” *see Abbott v. Latshaw*, 164 F.3d 141, 147-48 (3d Cir. 1998) (citation omitted), Crisdon included no factual allegations to support his belief that Greenblatt conspired with any state official.⁵ *See id.* at 148 (explaining that a complaint that “contains conclusory allegations of concerted action but is devoid of facts actually reflecting joint action” is insufficient); *see also Dennis v. Sparks*, 449 U.S. 24, 28 (1980) (“[M]erely resorting to the courts and being on the winning side of a lawsuit

⁴ Crisdon also cited 18 U.S.C. § 241 in support of this claim, but as the District Court explained, that is a criminal statute that did not create a private right of action for Crisdon to pursue.

⁵ Crisdon has suggested that if he were able to secure records from his state court proceeding, he would want to amend his claims, but has not explained what factual allegations he would seek to add that are relevant to his claims against Greenblatt.

does not make a party a co-conspirator or a joint actor with the judge.”).

For these reasons, we will affirm the District Court’s judgment.