

UNITED STATES COURT OF APPEALS

January 8, 2014

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

LAURIE BORDOCK,

Plaintiff - Appellant,

v.

CITY OF SALLISAW;
MAZZIO'S, INC.,

Defendants - Appellees.

No. 13-7045
(D.C. No. 6:12-CV-00508-JHP)
(E.D. Okla.)

ORDER AND JUDGMENT*

Before **HARTZ, McKAY, and BACHARACH**, Circuit Judges.

Ms. Laurie Bordock, who appears pro se, sued the City of Sallisaw and Mazzio's, Inc. under 42 U.S.C. § 1983. She claims that Sallisaw police arrested her for trespassing at Mazzio's restaurant. The district court granted the Defendants' motion to dismiss for failure to state a valid claim, holding: (1) Subject-matter

* After examining the briefs and appellate record, this Court has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

This order and judgment does not constitute binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. But the order and judgment can be cited for its persuasive value under Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

jurisdiction is absent on the claims involving wrongful conviction for trespass;
(2) Ms. Bordock had failed to identify a policy or custom as a basis for municipal liability; and (3) she had failed to plead a cause of action against Mazzio's, LLC because § 1983 does not extend to private conduct.

On appeal, Ms. Bordock argues only that the police officers violated her civil rights by harassing her and issuing a ticket for trespassing when she was not trespassing. This argument does not tell us how Ms. Bordock thinks the federal district court erred in its legal rulings. *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840-41 (10th Cir. 2005). Although we liberally construe her pro se filings, Ms. Bordock must comply with the procedural rules and we cannot construct arguments for her. *See id.* at 840. Because Ms. Bordock has failed to identify a cognizable basis for review, we affirm.

Entered for the Court

Robert E. Bacharach
Circuit Judge