

UNITED STATES COURT OF APPEALS

June 23, 2016

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

COY-CE COLEMAN,

Plaintiff - Appellant,

v.

CHRIS STEPHENS,

Defendant - Appellee.

No. 16-6057
(D.C. No. 5:15-CV-01264-C)
(W.D. Okla.)

ORDER AND JUDGMENT*

Before **LUCERO, MURPHY**, and **MATHESON**, Circuit Judges.

Coy-Ce Coleman appeals the district court's dismissal of his complaint.

Exercising jurisdiction under 28 U.S.C. § 1291, we affirm.

Coleman filed suit against Assistant United States Attorney Chris Stephens seeking nearly \$72 million in damages. He alleged that Stephens violated numerous federal laws in prosecuting him for two counts of interstate stalking. Stephens filed a motion to dismiss, raising various defenses including absolute prosecutorial

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in 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 This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

immunity. The district court dismissed the complaint on that ground. Coleman timely appeals.

Because Coleman’s allegations against Stephens—to the extent that we can discern them—stem solely from Stephens’ actions in prosecuting Coleman, we agree with the district court that Stephens is entitled to absolute prosecutorial immunity. See Imbler v. Pachtman, 424 U.S. 409, 431 (1976) (“[I]n initiating a prosecution and in presenting the State’s case, the prosecutor is immune from a civil suit for damages . . .”).

The judgment of the district court is **AFFIRMED**.

Entered for the Court

Carlos F. Lucero
Circuit Judge