

DEESHAWN CAMPBELL,)
)
Plaintiff,)
)
v.)
)
)
CUYAHOGA COUNTY)
CORRECTIONS CENTER,)
)
Defendant.)

CASE NO. 1: 16 CV 2619

JUDGE CHRISTOPHER A. BOYKO

OPINION AND ORDER

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This action must be summarily dismissed. A county jail is not a legal entity capable of being sued for purposes of a civil rights action under §1983. *See Jackson v. Mowry*, No. 1:12 CV 3083, 2013 WL 526916, at *3 (N.D. Ohio Feb. 11, 2013); *Boggs v. Miami Cty. Jail*, No. 3:11 CV 00122, 2011 WL 3813079, at *2 (S.D. Ohio Aug. 9, 2011) (a county jail “is merely an administrative vehicle” by which a county operates and therefore “lacks the capacity to be sued”), report and recommendation adopted, No. 3:11 CV 00122, 2011 WL 3813033 (S.D. Ohio Aug. 29, 2011).

Even assuming the Plaintiff’s action could be construed against Cuyahoga County, as the municipal entity that operates the County Jail, his action must still be dismissed. A local government may be liable under §1983 only when its own official policy or custom inflicts the injury that forms the basis of the claim. *Monell v. Dep’t of Soc. Servs.*, 436 U.S. 658, 691 (1978). The Plaintiff’s allegations do not plausibly suggest that the conditions in the County Jail of which he complains were caused by a policy or custom of Cuyahoga County itself.

Conclusion

Accordingly, the Plaintiff’s Complaint fails to state a plausible claim for relief under §1983 and this action is dismissed pursuant to 28 U.S.C. §1915A. The Court further certifies, pursuant to 28 U.S.C. §1915(a)(3) that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

Dated: February 9, 2017