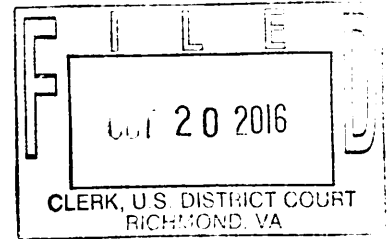


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



RYAN SESSOMS,

Plaintiff,

v.

Civil Action No. **3:16CV166**

DAVID ROBINSON, et al.,

Defendants.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. By Memorandum Order entered on September 19, 2016, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. (ECF No. 13.) The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action.

In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. *See Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his Complaint filed on March 16, 2016 (ECF No. 2), Plaintiff fails to allege facts indicating that each Defendant was personally involved in the deprivation of his rights. Moreover, Plaintiff's rambling allegations fail to provide each Defendant with fair notice of the facts and legal basis upon which his or her liability rests. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).

More than fourteen (14) days have elapsed since the entry of the September 19, 2016 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the September 19, 2016 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order will accompany this Memorandum Opinion.



M. Hannah Landrum
United States District Judge

Date: OCT 20 2016
Richmond, Virginia