

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

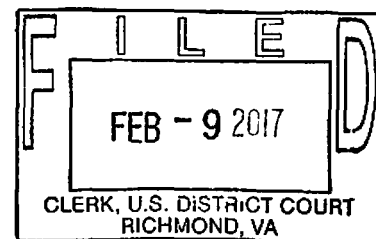
JAMES L. JACK,  
  
Plaintiff,

v.

Civil Action No. 3:16CV316

MICHAEL L. CHAPMAN, et al.,

Defendants.



MEMORANDUM OPINION

James L. Jack, a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 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 current Complaint, Jack does not identify the particular constitutional right that was violated by the defendants' conduct. Moreover, Plaintiff's current 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) (citation omitted). Accordingly, by Memorandum Order entered on January 11, 2017, the Court directed Jack to submit a particularized complaint within fourteen (14) days of the date

of entry thereof. The Court warned Jack that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the January 11, 2017 Memorandum Order. Jack failed to submit a particularized complaint or otherwise respond to the January 11, 2017 Memorandum Order. Accordingly, the action will be dismissed without prejudice. Plaintiff is free to file a new action that amplifies the factual and legal basis upon which his claims rest.

The Clerk is directed to send a copy of this Memorandum Opinion to Jack.

Date: *February 8, 2017*  
Richmond, Virginia

   /s/ *RED*  
Robert E. Payne  
Senior United States District Judge