

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

JERRY WELTY, JR.,

Plaintiff,

v.

Civil Action No. 3:19CV481

DERRICK RITTER, *et al.*,

Defendants.

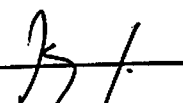
MEMORANDUM OPINION

Plaintiff, a federal 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, Plaintiff fails to provide the defendants with fair notice of facts and law upon which their liability rests. Accordingly, by Memorandum Order entered on January 14, 2020, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Plaintiff that the failure to submit a particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the January 14, 2020 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the January 14, 2020 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order will accompany this Memorandum Opinion.

Date: 6 March 2020  
Richmond, Virginia

  
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John A. Gibney, Jr.  
United States District Judge