

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

Richmond Division

VINCENT EUGENE WALKER,
Plaintiff,

v.

Civil No. 3:21cv561 (DJN)

M. BROOKS, *et al.*,
Defendants.

MEMORANDUM OPINION


Plaintiff, a Virginia inmate proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. 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). Plaintiff's current allegations fail to identify the particular constitutional right that each defendant's conduct violated or 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) (explaining that a complaint must "give the defendant fair notice of what the . . . claim is and the grounds upon which it rests").

Accordingly, by Memorandum Order entered on April 4, 2022, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. ECF No. 10.) The Court warned Plaintiff that 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 April 4, 2022 Memorandum Order. Plaintiff has failed to submit a particularized complaint or otherwise respond to the April 4, 2022 Memorandum Order. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Plaintiff.

An appropriate Order shall issue.

/s/ 

David J. Novak
United States District Judge

Richmond, Virginia
Dated: May 12, 2022