

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

Richmond Division

JEREMIAH GOODWIN,
Plaintiff,

v.

Civil No. 3:22cv452 (DJN)

CENTRAL STATE, *et al.*,
Defendants.

MEMORANDUM OPINION

Plaintiff Jeremiah Goodwin filed this and a similar 42 U.S.C. § 1983 action in the United States District Court for the Western District of Virginia, which were then transferred to this Court and consolidated into this action.¹ (ECF Nos. 1, 8.) 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 do not identify the particular constitutional right that was violated by each defendant's conduct and fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. Accordingly, by Memorandum Order entered on June 24, 2022, the Court directed Plaintiff to submit a particularized complaint not later than July 15, 2022. (ECF No. 8.) The Court also ordered Plaintiff to complete and return the Court's standard *in forma pauperis* affidavit by that time if he wished to proceed


¹ The other action is *Goodwin v. Dr. Riley, et al.*, Case No. 3:22cv453.

without paying the filing fee. (ECF No. 8.) The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action.

Plaintiff has not submitted the *in forma pauperis* affidavit. Additionally, Plaintiff failed to submit a particularized complaint or otherwise respond to the June 24, 2022 Memorandum Order. Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), the 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: August 22, 2022