

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JUL 25 2011

JULIA C. DUNLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SHAUNT'E TENELL LEE,)	Civil Action No. 7:11cv00288
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
C/O BEAUDREault, <u>et al.</u> ,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

Shaunt'e Tenell Lee, a Virginia inmate proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 seeking an unspecified amount of damages. The court finds that, despite being given the opportunity to amend her complaint, Lee has not stated a claim upon which relief may be granted and, therefore, dismisses this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

I.

Lee alleges that she and other inmates had a verbal disagreement and at some point another inmate "grabbed [Lee] around [her] neck," resulting in "broken skin on both sides of [her] neck." Lee does not allege that any of the defendants were present when this alleged attack occurred and she does not allege that any of the defendants had reason to believe that this inmate might attack her. Lee alleges that she requested medical treatment, specifically a tetanus shot, but despite being given the opportunity to amend her complaint, she does not state whether or not she received any medical treatment.

II.

To state a claim for relief under §1983, a plaintiff must allege facts indicating that plaintiff has been deprived of rights guaranteed by the Constitution or laws of the United States and that this deprivation resulted from conduct committed by a person acting under color of state


law. West v. Atkins, 487 U.S. 42 (1988). Lee's complaint, however, does not contain a single constitutional claim against any of the named defendants. Accordingly, the court finds that Lee has failed to state a constitutional claim against any of the named defendants and, therefore, the court dismisses her complaint.

III.

For the reasons stated, the court finds that Lee has not presented any claims on which relief can be granted, and therefore, dismisses her complaint, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 25th day of July, 2011.



United States District Judge