

MAY 01 2014

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ERIC ROBERT SMITH,
Plaintiff,

v.

FAUQUIER COUNTY ADULT
DETENTION CENTER,
Defendant.


Civil Action No. 7:14-cv-00219

MEMORANDUM OPINION

By: Hon. James C. Turk
Senior United States District Judge

Eric Robert Smith, a Virginia inmate proceeding pro se, filed a Complaint pursuant to 42 U.S.C. § 1983 naming the Fauquier County Adult Detention Center (“Jail”) as the sole defendant. The court must dismiss the Complaint because Plaintiff fails to name a person acting under color of state law as a defendant. See, e.g., West v. Atkins, 487 U.S. 42, 48 (1988). Plaintiff names only the Jail as a defendant, which is not amenable to suit via § 1983. See Preval v. Reno, 57 F. Supp. 2d 307, 310 (E.D. Va. 1999) (“[T]he Piedmont Regional Jail is not a ‘person,’ and therefore not amenable to suit under 42 U.S.C. § 1983.”), aff’d in part and rev’d in part, 203 F.3d 821 (4th Cir. 2000), reported in full-text format at 2000 U.S. App. LEXIS 465, at *3, 2000 WL 20591, at *1 (“The court also properly determined that the Piedmont Regional Jail is not a ‘person’ and is therefore not amenable to suit under § 1983[.]”). Accordingly, Plaintiff presently fails to state a claim upon which relief may be granted, and the court dismisses the Complaint without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1).

ENTER: This 1st day of May, 2014.


Senior United States District Judge