

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

<b>LEROY VANMETER, JR.,</b>	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 7:14cv00490</b>
	)	
v.	)	<b><u>MEMORANDUM OPINION</u></b>
	)	
<b>SOUTHWEST VIRGINIA</b>	)	
<b>REGIONAL JAIL,</b>	)	<b>By: Norman K. Moon</b>
<b>Defendant.</b>	)	<b>United States District Judge</b>

Plaintiff Leroy Vanmeter, Jr., a Virginia inmate proceeding *pro se*, brings this civil rights action pursuant to 42 U.S.C. § 1983, naming only the Southwest Virginia Regional Jail as a defendant. To state a cause of action under § 1983, a plaintiff must allege facts indicating that he 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). As a jail is not a “person” subject to suit under § 1983, Vanmeter cannot maintain his action against the defendant jail. *See McCoy v. Chesapeake Correctional Center*, 788 F. Supp. 890 (E.D. Va. 1992). Therefore, I will dismiss this action without prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

**ENTER:** This 29th day of September, 2014.

  
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 NORMAN K. MOON  
 UNITED STATES DISTRICT JUDGE