

Section 1983 permits an aggrieved party to file a civil action against a person for actions taken under color of state law that violated his constitutional rights. *See Cooper v. Sheehan*, 735 F.3d 153, 158 (4th Cir. 2013). The only entity that Hawks names as a defendant to his § 1983 claims is the jail medical staff, as a group. A group of officials is not a “person” subject to suit under § 1983. *See, e.g., Ashcroft v. Iqbal*, 556 U.S. 662, 676 (2009) (“[A] plaintiff must plead that each Government-official defendant, through the official’s own individual actions, has violated the Constitution.”). Therefore, I will summarily dismiss this action without prejudice, pursuant to § 1915A(b)(1), as legally frivolous.¹

A separate Final Order will be entered herewith.

DATED: October 19, 2016

/s/ James P. Jones
United States District Judge

¹ In any event, Hawks’ allegations do not state any constitutional claim actionable under § 1983 against anyone. His allegations present merely his disagreement with the jail’s medical staff about how time-sensitive his medical need was to have his eye examined by a physician. *See Estelle v. Gamble*, 429 U.S. 97, 102 (1976) (holding that only a prison official’s deliberate indifference to inmate’s serious medical needs violates the Eighth Amendment). The deliberate indifference standard “is not satisfied by . . . mere disagreement concerning ‘[q]uestions of medical judgment,’” *Germain v. Shearin*, 531 F. App’x 392, 395 (4th Cir. 2013) (unpublished) (quoting *Russell v. Sheffer*, 528 F.2d 318, 319 (4th Cir. 1975)). *See also Bowring v. Godwin*, 551 F.2d 44, 48 (4th Cir. 1977) (finding that in constitutional claim regarding prison medical care, “the essential test is one of medical necessity and not simply that which may be considered merely desirable”).