

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

<b>TRAVIS LEE WILDER,</b>	)	<b>Civil Action No. 7:17cv00216</b>
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>MEMORANDUM OPINION</u></b>
	)	
<b>NEW RIVER VALLEY</b>	)	
<b>REGIONAL JAIL,</b>	)	<b>By: Norman K. Moon</b>
<b>Defendant.</b>	)	<b>United States District Judge</b>

Plaintiff Travis Lee Wilder, a Virginia inmate proceeding *pro se*, filed a civil rights action pursuant to 42 U.S.C. § 1983, naming only the New River Valley 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) (emphasis added). As the New River Valley Regional Jail is not a “person” subject to suit under § 1983, Wilder cannot maintain this action against the defendant jail. *See McCoy v. Chesapeake Correctional Center*, 788 F. Supp. 890 (E.D. Va. 1992). Accordingly, I will dismiss Wilder’s complaint without prejudice pursuant to 42 U.S.C. § 1997e(c)(1).

**ENTER:** This 7<sup>th</sup> day of June, 2017.

  
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 NORMAN K. MOON  
 UNITED STATES DISTRICT JUDGE