

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Dejshontaye Would v. N.J. Department of Corrections, et al.

No. Civil Action No. 26-533 (ZNQ) (TJB), United States District Court for the District of New Jersey (January 21, 2026)

SUMMARY

The court granted Plaintiff Dejshontaye Would’s application to proceed in forma pauperis and screened his prisoner civil rights complaint under 28 U.S.C. § 1915(e)(2)(B). The court dismissed claims against the New Jersey Department of Corrections and Northern State Prison with prejudice on Eleventh Amendment and state-arm grounds, and dismissed claims against individual supervisory defendants without prejudice for lack of alleged personal involvement, granting leave to amend.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Zahid N. Quraishi
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	January 21, 2026
DOCKET	Civil Action No. 26-533 (ZNQ) (TJB)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Sua sponte screening of a pro se prisoner's complaint under 28 U.S.C. § 1915(e)(2)(B) after granting leave to proceed in forma pauperis.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The failure-to-state-a-claim standard is the same as the standard under Federal Rule of Civil Procedure 12(b)(6); factual allegations are accepted as true and reasonable inferences are drawn for the plaintiff, but legal conclusions are not accepted as factual allegations.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Dejshontaye Would v. N.J. Department of Corrections, Northern State Prison, Victoria Kuhn, Marc Sim, Anthony Gongi, Anita Berryman, Nicholas Callicchio, Desiree Gray

TOPICS

section 1983

prisoners rights

eleventh amendment immunity

motions to dismiss

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a viable § 1983 claim against the New Jersey Department of Corrections and Northern State Prison.
2. Whether the complaint stated a § 1983 claim against supervisory prison and Department officials absent allegations of their personal involvement.
3. Whether the complaint should be dismissed under the mandatory screening provisions of 28 U.S.C. § 1915(e)(2)(B).

HOLDINGS

1. The New Jersey Department of Corrections and Northern State Prison are arms of the State, are not proper defendants in a § 1983 civil-rights action, and are entitled to Eleventh Amendment immunity; the claims against them were dismissed with prejudice.
2. A supervisory defendant cannot be held liable under § 1983 solely for the actions of subordinates or because of the defendant's supervisory position; the plaintiff must allege the defendant's personal involvement in the constitutional violation.
3. The complaint failed to state a claim for relief because it did not provide sufficient factual allegations connecting the individual defendants to the alleged disciplinary and confinement violations; the claims against those defendants were dismissed without prejudice.

KEY QUOTATIONS

“A defendant in a civil rights proceeding brought pursuant to § 1983 cannot be held liable for the actions of his subordinates or merely because he holds a supervisory position, instead he must have personal involvement in the alleged wrong.”

“Plaintiff has therefore failed to state a claim for which relief may be granted as to any of the named individual Defendants, and his claims against them must be dismissed without prejudice at this time.”

FACTUAL BACKGROUND

Plaintiff is a convicted state prisoner confined at Northern State Prison. He alleged that his due-process rights were violated when he was found guilty of a prison disciplinary violation without being allowed to appear at a disciplinary hearing and when he was held in an unsanitary cell without recreation while awaiting the hearing's outcome. He named the New Jersey Department of Corrections, Northern State Prison, and several high-level prison and Department officials, but alleged no facts connecting any defendant to the asserted harms beyond the claim that a state entity violated his rights.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights complaint under 42 U.S.C. § 1983 and an application to proceed in forma pauperis. The court granted in forma pauperis status, screened the complaint sua sponte, dismissed claims against the New Jersey Department of Corrections and Northern State Prison with prejudice, dismissed the claims against the individual supervisory defendants without prejudice for failure to state a claim, and granted leave to amend within thirty days.

DISPOSITION

dismissed

CASES CITED

- Schreane v. Seana, 506 F. App'x 120, 122 (3d Cir. 2012)
- Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000)
- Phillips v. County of Allegheny, 515 F.3d 224, 228 (3d Cir. 2008)
- Papasan v. Allain, 478 U.S. 265, 286 (1986)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Mala v. Crown Bay Marina, Inc., 704 F.3d 239, 245 (3d Cir. 2013)
- Will v. Michigan Department of State Police, 491 U.S. 58, 70-71 (1989)
- Christ the King Manor, Inc. v. Secretary U.S. Department of Health & Human Services, 730 F.3d 291, 318 (3d Cir. 2013)
- Walker v. Beard, 244 F. App'x 439, 440-41 (3d Cir. 2007)
- Grabow v. S. State Corr. Facility, 726 F. Supp. 537, 538-39 (D.N.J. 1989)
- Chavarriaga v. New Jersey Department of Corrections, 806 F.3d 210, 222 (3d Cir. 2015)
- Rode v. Dellarciprete, 845 F.2d 1195, 1207-08 (3d Cir. 1988)
- Natale v. Camden County Correctional Facility, 318 F.3d 575, 583-84 (3d Cir. 2003)

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