

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

Alexander Sims Jr. v. Caesars Virginia, LLC

No. 4:25-cv-00026 (W.D. Va. Mar. 31, 2026) · No. 4:25-cv-00026 · Decided March 31, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismisses Alexander Sims Jr.'s amended complaint against Caesars Virginia, LLC. Sims asserted claims under 42 U.S.C. §§ 1981 and 1983, Virginia law claims for false arrest and false imprisonment, and a Title III ADA claim arising from his removal from a casino and subsequent arrest. The court held that the complaint failed to plausibly allege racial discrimination, joint action with state actors, or false imprisonment, and that the ADA claim was both insufficiently supported and time-barred.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	Thomas T. Cullen
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	March 31, 2026
DOCKET	4:25-cv-00026
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the amended complaint asserting racial discrimination under 42 U.S.C. § 1981, joint action with state actors under §§ 1981 and 1983, Virginia false arrest and false imprisonment, and Title III of the ADA.
STANDARD OF REVIEW	Under Rule 12(b)(6), the court tests the legal sufficiency of the complaint, accepts well-pleaded factual allegations as true, considers attached exhibits, and determines whether the complaint states a facially plausible claim for relief. Pro se pleadings are liberally construed, but conclusory allegations and formulaic recitations of the elements are insufficient.
PRECEDENTIAL VALUE	Unknown; unpublished memorandum opinion from a federal district court

PARTIES

Alexander Sims Jr. v. Caesars Virginia, LLC

TOPICS

motions to dismiss

civil procedure

section 1983

ada / disability

statute of limitations

PRACTICE AREAS

civil procedure

civil rights

torts

disability law

QUESTIONS PRESENTED

1. Whether Sims plausibly alleged that Caesars intentionally discriminated against him because of race and interfered with a contractual interest in violation of 42 U.S.C. § 1981.
2. Whether Sims plausibly alleged that Caesars acted jointly with state actors or conspired with police so as to support liability under 42 U.S.C. § 1983.
3. Whether Sims plausibly alleged Virginia false arrest or false imprisonment based on Caesars security personnel's communications with police.
4. Whether Sims stated a Title III ADA claim and whether that claim was barred by Virginia's one-year limitations period.

HOLDINGS

1. The amended complaint did not plausibly allege that Caesars asked Sims to leave because of his race or that race was the but-for cause of the loss of a legally protected contractual right. A single alleged racial statement, without supporting facts or allegations that similarly situated patrons of another race were treated differently, was insufficient.
2. The amended complaint did not state a § 1983 claim against Caesars based on alleged coordination with police. Merely calling police to report a suspected crime does not transform a private actor into a state actor, and Sims alleged no specific facts establishing a conspiracy or that Caesars exercised influence over the police.
3. Sims failed to state a Virginia false arrest or false imprisonment claim because he did not allege specific facts showing that Caesars personnel actively instigated, directed, or procured an unlawful arrest.
4. Sims's Title III ADA claim was dismissed as time barred because Virginia's applicable limitations period is one year and Sims filed suit nearly two years after the alleged casino incident.

KEY QUOTATIONS

“Under all the facts that Sims has alleged, a single reference to his race does not permit the “court to draw [the] reasonable inference” that Sims’s race was the “but-for” cause of his removal.” (Section III.a)

“It is well- settled that merely calling the police to report a suspected crime is not sufficient to transform a private actor into a state one such that they become liable under § 1983.” (Section III.b)

“Accordingly, “[t]he statute of limitations for ADA claims in Virginia is one year.”” (Section III.d)

FACTUAL BACKGROUND

Sims alleged that Caesars security personnel asked him to leave a casino after questioning his identification and asserting that he was intoxicated or that someone had complained about him. He alleged that a security guard made a racial statement, that personnel refused his requests for a wheelchair despite pain and an injured foot, and that security personnel communicated with police before Sims was arrested for public intoxication. The court relied on surveillance video attached to the amended complaint, which it found contradicted or undermined several allegations, including Sims's assertions about his ability to walk and the security guard's involvement in his arrest.

PROCEDURAL HISTORY

Sims filed suit on May 20, 2025. After Caesars moved to dismiss the original complaint, Sims filed an amended complaint. The parties briefed Caesars's motion to dismiss the amended complaint, and the court dismissed the complaint in its entirety.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678, 682 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Edwards v. City of Goldsboro, 178 F.3d 231, 243 (4th Cir. 1999)
- Goines v. Valley Community Services Board, 822 F.3d 159, 166 (4th Cir. 2016)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Denny v. Elizabeth Arden Salons, Inc., 456 F.3d 427, 434 (4th Cir. 2006)
- Comcast Corp. v. National Association of African American-Owned Media, 589 U.S. 327, 341 (2020)
- Nadendla v. WakeMed, 24 F.4th 299, 305, 307 (4th Cir. 2022)
- Hodge v. MGM National Harbor, LLC, No. DBL-23-3463, 2025 WL 675050, at *4-*5 (D. Md. Feb. 28, 2025), aff'd, 2025 WL 3764866, at *1 (4th Cir. 2025)
- Woods v. City of Greensboro, 855 F.3d 639, 649 (4th Cir. 2017)
- Williams v. Staples, Inc., 372 F.3d 662, 667-68 (4th Cir. 2004)
- Jones v. Alfred H. Mayer Co., 392 U.S. 409, 436 (1968)
- Cruey v. Huff, No. 7:09CV00516, 2010 WL 1539995, at *3 (W.D. Va. Apr. 16, 2010)
- Collins v. Womancare, Inc., 878 F.2d 1145, 1155 (9th Cir. 1989)
- Lawson v. Caesars Virginia, LLC, No. 4:25-cv-00035, 2025 WL 3657927, at * (W.D. Va. Dec. 17, 2025)
- Wagenmann v. Adams, 829 F.2d 196, 211 (1st Cir. 1987)
- Smith v. Button, No. ML-4566, 1997 WL 33621883, at *3 (Va. Cir. Sept. 24, 1997)
- Zayre of Virginia, Inc. v. Gowdy, 147 S.E.2d 710, 713 (Va. 1966)

- Dill v. Kroger Limited Partnership I, 860 S.E.2d 372, 380-81 (Va. 2021)
- Montgomery Ward & Co. v. Wickline, 50 S.E.2d 387 (Va. 1948)
- Lewis v. Aetna Life Insurance Co., 993 F. Supp. 382, 385 (E.D. Va. 1998)
- A Society Without a Name for People Without a Home Millennium-Future-Present v. Virginia, 699 F. Supp. 2d 787, 799 (E.D. Va. 2010)
- Norwood v. Oak Hill Academy, No. 7:17-cv-222, 2017 WL 8315919, at *2 (W.D. Va. Dec. 22, 2017), R.&R. adopted as modified by 2018 WL 1461503, at *2 (W.D. Va. Mar. 23, 2018)
- J.D. v. Colonial Williamsburg Foundation, 925 F.3d 663, 669-70 (4th Cir. 2019)
- Alexander v. QVC Distribution Center, 678 F. Supp. 2d 337, 344 (E.D. Va. 2009)

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