

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, GREENVILLE DIVISION

Denarius Antone Roscoe v. Sunflower County, et al.

Roscoe · No. No. 4:23-CV-218-DMB-RP · Decided January 12, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi held that Denarius Antone Roscoe stated an excessive-force claim under 42 U.S.C. § 1983 against Officer Sabrina Gordon based on an alleged assault while he was restrained. The court dismissed without prejudice Roscoe’s claims against Sunflower County and supervisory officials for failure to allege deliberate indifference, personal involvement, or a county policy or custom. The Indianola Police Department was dismissed with prejudice because it lacks a separate legal existence under Mississippi law.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Greenville Division
WRITING FOR THE COURT	Debra M. Brown
JURISDICTION	United States District Court for the Northern District of Mississippi, Greenville Division
DECIDED	January 12, 2026
DOCKET	No. 4:23-CV-218-DMB-RP
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner brought claims under 42 U.S.C. § 1983 challenging the conditions of his confinement. The court reviewed the amended complaint and ordered Roscoe to show cause why several defendants should not be dismissed for failure to state a claim. After Roscoe failed to respond, the court dismissed the claims against all defendants except Officer Sabrina Gordon.
STANDARD OF REVIEW	Whether the complaint stated a claim upon which relief could be granted under 42 U.S.C. § 1983, including whether the allegations plausibly established deliberate indifference, municipal liability, or supervisory liability.
PRECEDENTIAL VALUE	Unknown; district court opinion with no reported citation.

PARTIES

Denarius Antone Roscoe v. Sunflower County, Indianola Police Department, Ronald Sampson, Ernest Gilson, Sabrina Gordon, Gregory Capers

TOPICS

section 1983 prisoners rights municipal liability civil rights pleadings

PRACTICE AREAS

civil rights constitutional law prisoner civil rights municipal liability civil procedure

QUESTIONS PRESENTED

1. Whether Roscoe stated an Eighth Amendment denial-of-medical-care claim by alleging that he submitted a medical request but did not identify the person responsible for responding or allege that a specific defendant intentionally denied or delayed treatment.
2. Whether the Indianola Police Department was an entity with a separate legal existence and capacity to be sued under Mississippi law.
3. Whether Roscoe stated a § 1983 municipal-liability claim against Sunflower County by alleging an official policy or custom that caused the constitutional violation.
4. Whether Roscoe stated § 1983 claims against Sampson, Gilson, and Capers based on personal participation, causal connection, or supervisory status.
5. Whether Roscoe's excessive-force claim against Officer Sabrina Gordon stated a claim sufficient to proceed.

HOLDINGS

1. Roscoe failed to state a denial-of-medical-care claim because he did not identify a specific defendant whose acts or omissions caused the alleged denial of treatment, and he did not clearly allege that a responsible official intentionally denied or delayed medical care.
2. The Indianola Police Department could not be sued because, under Mississippi law, a municipal police department does not have a legal existence separate from the municipality.
3. Roscoe failed to state a § 1983 claim against Sunflower County because he alleged no official county policy or custom that caused the asserted constitutional violation and could not rely on respondeat superior.
4. Roscoe failed to state § 1983 claims against Sampson, Gilson, and Capers because he did not allege that they personally participated in the attack, implemented an unconstitutional policy that caused it, or were otherwise personally or causally connected to the alleged violation.
5. Roscoe's excessive-force claim against Officer Sabrina Gordon was allowed to proceed.

KEY QUOTATIONS

“A state employee may not be held liable under § 1983 for such unless the plaintiff alleges facts which, if true, would establish the official “knows of and disregards an excessive risk to inmate health or safety; the official must both be aware of the facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference.”” (II.A)

“Because Roscoe alleges no facts showing a county policy or custom led to the alleged violation of his constitutional rights, Sunflower County will be dismissed without prejudice.” (II.C)

“Indeed, there are only two scenarios where a supervisor may be held liable under § 1983: (1) when he affirmatively participates in the incident, and (2) when he implements an unconstitutional policy that results in constitutional injury.” (II.D)

FACTUAL BACKGROUND

Roscoe alleged that on May 29, 2022, while fully restrained at the Sunflower County Sheriff's Department, Indianola Police Officer Sabrina Gordon punched him in the face and pointed a firearm at him. He alleged that the incident was recorded and posted on social media, that he suffered a broken nose, and that he submitted a medical request but received no treatment. He also alleged that Sheriff James Haywood placed him in close confinement for protection after Roscoe reported the incident and expressed fear for his life.

PROCEDURAL HISTORY

Roscoe filed the action on November 17, 2023, and amended his complaint on December 27, 2023, adding Sergeant Gregory Capers. The court issued a show-cause order concerning Sunflower County, the Indianola Police Department, Ronald Sampson, Ernest Gilson, and Gregory Capers. Roscoe did not respond. The court allowed the excessive-force claim against Sabrina Gordon to proceed, dismissed the claims against Sunflower County, Sampson, Gilson, and Capers without prejudice, and dismissed the Indianola Police Department with prejudice.

DISPOSITION

other

CASES CITED

- Williams v. Henagan, 595 F.3d 610, 619 (5th Cir. 2010)
- Estelle v. Gamble, 429 U.S. 97, 104-05 (1976)
- Mayweather v. Foti, 958 F.2d 91, 91 (5th Cir. 1992)
- Farmer v. Brennan, 511 U.S. 825, 837 (1994)
- Brauner v. Coody, 793 F.3d 493, 498 (5th Cir. 2015)
- Domino v. Texas Department of Criminal Justice, 239 F.3d 752, 756 (5th Cir. 2001)
- Darby v. Pasadena Police Department, 939 F.2d 311, 313 (5th Cir. 1991)
- Paixao v. City of Greenwood, No. 4:23-CV-47, 2024 WL 28033, at *2 (N.D. Miss. Jan. 2, 2024)
- Moore v. Laurel Police Department, No. 2:22-CV-1, 2022 WL 22236294, at *1 (S.D. Miss. Mar. 2, 2022)

- *Showers v. City of Bay St. Louis*, No. 1:19-cv-323, 2020 WL 8620189, at *1 (S.D. Miss. July 28, 2020)
- *Upchurch v. City of Moss Point*, No. 1:10-CV-228, 2011 WL 5082224, at *3 (S.D. Miss. Oct. 26, 2011)
- *Stewart v. Jackson County*, No. 1:07-CV-1270, 2008 WL 4287112, at *1 (S.D. Miss. Sept. 16, 2008)
- *Stewart v. Perry*, No. 1:07-CV-1270, 2008 WL 4145216, at *1 (S.D. Miss. Sept. 4, 2008)
- *Brown v. Thompson*, 927 So. 2d 733, 737 (Miss. 2006)
- *Piotrowski v. City of Houston*, 51 F.3d 512, 517 (5th Cir. 1995)
- *Colle v. Brazos County*, 981 F.2d 237, 244 (5th Cir. 1993)
- *Richardson v. Oldham*, 12 F.3d 1373, 1381-82 (5th Cir. 1994)
- *Monell v. Department of Social Services*, 436 U.S. 658, 690-94 (1978)
- *Doe v. Rains County Independent School District*, 66 F.3d 1402, 1409 (5th Cir. 1995)
- *Brown v. Bryan County*, 53 F.3d 1410, 1418 (5th Cir. 1995)
- *Woods v. Edwards*, 51 F.3d 577, 583 (5th Cir. 1995)
- *Lozano v. Smith*, 718 F.2d 756, 768 (5th Cir. 1983)
- *Dehghani v. Vogelgesang*, 226 F. App'x 404, 406 (5th Cir. 2007)
- *Wernecke v. Garcia*, 591 F.3d 386, 401 (5th Cir. 2009)
- *Carnaby v. City of Houston*, 636 F.3d 183, 189 (5th Cir. 2011)
- *Ashcroft v. Iqbal*, 556 U.S. 662 (2009)

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