

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Rick Duwan Acree v. Mr. Aduzie, et al.

Acree · No. 3:25-cv-01073 · Decided May 1, 2026

OPINION

Acree

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

RICK DUWAN ACREE,

Plaintiff, v. Civil Action No. 3:25cv1073 MR. ADUZIE, et al., Defendants.

MEMORANDUM OPINION

Plaintiff, a former Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See *Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). Plaintiff's current allegations fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. See *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order (ECF No. 8), entered on March 24, 2026, the Court directed Plaintiff to submit a particularized complaint within thirty (30) days of the date of entry thereof. The Court warned Plaintiff that the failure to submit a particularized complaint would result in the dismissal of the action. More than thirty (30) days have elapsed since the entry of the March 24, 2026 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the March 24, 2026 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. An appropriate order will accompany this Memorandum Opinion. /s Date: 5 | | [202% y M. Hanna k Richmond, Virginia Chief United States) District Judge