

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

Jarvis Juwan Jackson v. Collins, et al.

Jackson v. Collins · No. 7:24-cv-00147 · Decided February 2, 2026

SUMMARY

The court grants defendants’ motion for summary judgment in Jarvis Juwan Jackson’s prisoner civil-rights action arising from an inmate assault at Red Onion State Prison. The court holds that Jackson failed to exhaust available administrative remedies under the Prison Litigation Reform Act because his regular grievance was untimely and he did not appeal its rejection. The court also denies Jackson’s motion to transfer, construed as a request for preliminary injunctive relief, and dismisses the action.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Elizabeth K. Dillon
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	February 2, 2026
DOCKET	7:24-cv-00147
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 alleging that correctional officers failed to protect plaintiff from an inmate attack and that Officer Collins participated in a civil conspiracy. Defendants moved for summary judgment based in part on failure to exhaust administrative remedies. Plaintiff also moved to transfer facilities, which the court construed as a request for preliminary injunctive relief.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court viewed reasonable inferences in favor of the nonmovant. A preliminary injunction requires showing likelihood of success on the merits, likely irreparable harm, favorable balance of equities, and consistency with the public interest.

PRECEDENTIAL VALUE	Unpublished district court memorandum opinion; persuasive value only.
PARTIES	Jarvis Juwan Jackson v. Officer Collins, Officer Robbins, Defendants

TOPICS

summary judgment section 1983 prisoners rights civil rights injunctions

PRACTICE AREAS

civil procedure prisoner civil rights constitutional law federal courts remedies

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment because Jackson failed to properly exhaust available administrative remedies under the Prison Litigation Reform Act.
2. Whether Jackson's untimely grievance and rejection of his request for medical photographs rendered administrative remedies unavailable.
3. Whether Jackson was entitled to preliminary injunctive relief requiring transfer to another prison facility.

HOLDINGS

1. Defendants were entitled to summary judgment because Jackson did not properly exhaust the administrative remedies available through the Virginia Department of Corrections grievance procedure.
2. The administrative remedies were not shown to be unavailable. Rejection of the grievance as untimely did not excuse exhaustion, and the type of relief available through the grievance process did not alter the exhaustion requirement.
3. Jackson was not entitled to preliminary injunctive relief requiring a transfer because he was unlikely to succeed on the merits and his transfer request concerned matters outside the issues in the lawsuit.

KEY QUOTATIONS

“An inmate “must exhaust available remedies, but need not exhaust unavailable ones.”” (Analysis § II.B)

“The PLRA’s exhaustion requirement is mandatory and “applies to all inmate suits about prison life, whether they involve general circumstances or particular episodes, and whether they allege excessive force or some other wrong.”” (Analysis § II.B)

“Proper exhaustion demands compliance with an agency’s deadlines and other critical procedural rules.” (Analysis § II.B)

“A plaintiff seeking a preliminary injunction must establish all four of the following elements: (1) that he is likely to succeed on the merits; (2) that he is likely to suffer irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in his favor; and (4) that an injunction is in the public interest.” (Analysis § II.C)

FACTUAL BACKGROUND

On February 13, 2023, while Jackson was working as a pod feeder at Red Onion State Prison, another inmate attacked him with a sharpened weapon, causing serious facial, neck, nose, and arm injuries requiring more than 50 stitches. Officers Robbins and Collins responded; Robbins used OC spray, and Collins issued warnings and deployed his canine, but the altercation continued until the inmate discarded the weapon and was restrained. Jackson submitted a written complaint and an unsigned, undated regular grievance, but the regular grievance was rejected as untimely and Jackson did not appeal.

PROCEDURAL HISTORY

Jackson filed a verified complaint concerning an inmate attack at Red Onion State Prison. He submitted written complaints and an untimely regular grievance, but did not appeal the intake rejection. Defendants moved for summary judgment, and Jackson responded. The court granted summary judgment for defendants based on failure to exhaust administrative remedies, denied the motion to transfer, and dismissed the action in its entirety.

DISPOSITION

dismissed

CASES CITED

- In re Apex Express Corp., 190 F.3d 624, 633 (4th Cir. 1999)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323–24 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252 (1986)
- Moore v. Bennette, 517 F.3d 717, 725 (4th Cir. 2008)
- Porter v. Nussle, 534 U.S. 516, 524 (2002)
- Jones v. Bock, 549 U.S. 199, 218 (2007)
- Woodford v. Ngo, 548 U.S. 81, 90, 92–94 (2006)
- Draper v. Ohai, Civil Action No. 7:23-cv-00248, 2025 WL 270051, at *5 (W.D. Va. Jan. 22, 2025)
- Graham v. Gentry, 413 F. App'x 660, 663 (4th Cir. 2011)
- Ross v. Blake, 578 U.S. 632, 642–44 (2016)
- Booth v. Churner, 532 U.S. 731, 741 (2001)
- Mitchell v. Russell, 2025 WL 2557189, at *2 (E.D. Ark. Mar. 4, 2025)
- Smith v. Andrews, 75 F.4th 805, 809 (8th Cir. 2023)
- Campbell v. Smith, 2009 WL 31119795, at *1 (D.S.C. Sept. 28, 2009)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Taylor v. Freeman, 34 F.3d 266, 269 (4th Cir. 1994)
- Wetzel v. Edwards, 635 F.2d 283, 286 (4th Cir. 1980)
- De Beers Consolidated Mines v. United States, 325 U.S. 212, 220 (1945)
- Brooks v. Zorn, 2024 WL 1571688, at *6 (D.S.C. Apr. 11, 2024)

- Omega World Travel, Inc. v. Trans World Airlines, 111 F.3d 14, 16 (4th Cir. 1997)

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