

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

Thomas Jeff Henry v. S.W.V.R.J. — Duffield

Henry · No. 7:25-cv-00341 · Decided April 21, 2026

OPINION

CLERKS OFFICE US DISTRICT COURT AT ROANOKE, VA FILED IN THE UNITED STATES DISTRICT COURT April 21, 2026 FOR THE WESTERN DISTRICT OF VIRGINIA aay f MP. BY: /S, » FO ROANOKE DIVISION DEPUTY CLERK” THOMAS JEFF HENRY,) Plaintiff,) Civil Action No. 7:25cv00341) v.) MEMORANDUM OPINION) S.W.V.R.J. — DUFFIELD,) By: Robert S. Ballou Defendant.) United States District Judge Thomas Jeff Henry, a Virginia prisoner proceeding pro se, has filed this action under 42 U.S.C. § 1983, alleging that he has “unjustly and illegally been arrested and detained, and civil rights have been violated.” Compl., p. 2.

Having preliminarily reviewed this matter as required by 28 U.S.C. § 1915A, I will dismiss his Complaint for failing to state a claim upon which relief may be granted. Section 1983 provides a cause of action against a “person” who, acting under color of state law violates the constitutional rights of another. 42 U.S.C. § 1983; *Loftus v. Bobzien*, 848 F.3d 278, 284-85 (4th Cir.

2017). A jail is not a person within the meaning of § 1983 and lacks the capacity to be sued. *McCoy v. Chesapeake Corr. Ctr*, 788 F. Supp. 890, 893-94 (E.D. Va. 1992). Further, if Henry identified proper defendants, he would be required to plead factual details about each defendant’s personal involvement in the violation of his rights. *Wilcox v. Brown*, 877 F.3d 161, 170 (4th Cir.

2017). In determining whether his Complaint states a valid cause of action, I must accept all of Henry’s factual allegations as true, but I am not required to accept legal conclusions or conclusory statements. *Langford v. Joyner*, 62 F.4th 122, 124 (4th Cir. 2023).

The Complaint is lacking any factual allegations, only the legal conclusion that his arrest was unlawful and that his rights have been violated. He provides no facts from which the court can infer that he is entitled to relief, no facts about what happened during his arrest to make it unlawful, no facts about how his civil rights have been violated, and no indication of which rights have been violated.

I will dismiss this case for failing state a claim for which relief may be granted. An appropriate order will be entered this day. Enter: April 21, 2026 //s/ Robert S. Ballou Robert S. Ballou United States District Judge

