

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Alejandro Velasquez-Martinez v. Lt. Pell, et al.

Velasquez-Martinez · No. Civil Action No. 25-3394 (SDW-JBC) · Decided March 6, 2026

SUMMARY

The United States District Court for the District of New Jersey grants in part Alejandro Velasquez-Martinez’s motion to amend his civil rights complaint. The court dismisses Bergen County Jail as an improper defendant and dismisses with prejudice claims against defendants in their official capacities. Because amendment is permitted, the defendants’ motion to dismiss is denied as moot, and they must respond to the amended complaint under Federal Rule of Civil Procedure 15(a)(3).

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Susan D. Wigenton
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	March 6, 2026
DOCKET	Civil Action No. 25-3394 (SDW-JBC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to amend his 42 U.S.C. § 1983 complaint while defendants' Rule 12(b)(6) motion to dismiss was pending.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded allegations as true and views them in the light most favorable to the nonmoving party; dismissal is proper when the complaint does not provide fair notice and state a plausible claim. Motions for leave to amend under Rule 15(a)(2) are generally freely granted unless amendment would be futile, prejudicial, unduly delayed, or undertaken in bad faith.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Alejandro Velasquez-Martinez v. Lt. Pell, Bergen County Jail, Corrections Officer Saltos, Corrections Officer Snutas, Sgt. Fernandez

TOPICS

- motion to amend
- motions to dismiss
- section 1983
- eleventh amendment immunity
- civil rights

PRACTICE AREAS

civil rights

civil procedure

prisoner litigation

constitutional law

QUESTIONS PRESENTED

1. Whether plaintiff should be granted leave to amend his § 1983 complaint under Federal Rule of Civil Procedure 15(a)(2).
2. Whether Bergen County Jail is a proper defendant in a § 1983 civil rights action.
3. Whether plaintiff's claims against defendants in their official capacities may proceed.
4. Whether defendants' pending motion to dismiss remained operative after leave to amend was granted.

HOLDINGS

1. Leave to amend should be freely granted where the amendment is not shown to be futile, prejudicial, unduly delayed, or undertaken in bad faith; plaintiff's motion to amend was granted in part.
2. Bergen County Jail is not a proper defendant in a § 1983 civil rights action and was dismissed from the case.
3. Plaintiff's claims against defendants in their official capacities were dismissed with prejudice because an official-capacity suit is treated as a suit against the official's office and therefore the State.
4. Because plaintiff was permitted to amend the complaint, defendants' pending motion to dismiss was dismissed as moot.

KEY QUOTATIONS

“When there are well-pleaded factual allegations, the court should assume their veracity and then determine whether they plausibly give rise to an entitlement to relief.” (¶ 7)

“A suit against a state official in his or her official capacity is not a suit against the official but rather is a suit against the official's office. As such, it is no different from a suit against the State itself.” (¶ 11)

FACTUAL BACKGROUND

Plaintiff is a convicted and sentenced prisoner confined at East Jersey State Prison who filed a § 1983 complaint based on alleged constitutional violations arising from his prior pretrial detention at Bergen County Jail. The proposed amended complaint named Bergen County Jail and several correctional officials, including Lt. Pell, Sgt. Fernandez, Corrections Officer Saltos, and Corrections Officer Snutas. The court determined that the jail was not a proper § 1983 defendant and that official-capacity claims were barred by Eleventh Amendment principles.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 complaint concerning alleged constitutional violations during his pretrial detention in Bergen County Jail. Defendants moved to dismiss for failure to state a claim and on statute-of-limitations grounds. Plaintiff then moved to amend, and the court granted the motion in part, dismissed claims against Bergen County Jail and official-capacity claims, and dismissed the motion to dismiss as moot.

DISPOSITION

other

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Connelly v. Lane Construction Corp., 809 F.3d 780, 787, 790 (3d Cir. 2016)
- Lake v. Arnold, 232 F.3d 360, 373 (3d Cir. 2000)
- Shane v. Fauver, 213 F.3d 113, 115 (3d Cir. 2000)
- Harris v. Hudson Cnty. Jail, No. 14-cv-6284, 2015 WL 1607703, at *5 (D.N.J. Apr. 8, 2015)
- Will v. Michigan Dep't of State Police, 491 U.S. 58, 71 (1989)

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