

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

Amilcar Joshua Quintana v. Allen, et al.

Quintana v. Allen · No. 7:25-cv-00296 · Decided May 20, 2026

SUMMARY

The United States District Court for the Western District of Virginia reviews Amilcar Joshua Quintana’s amended pro se complaint under 28 U.S.C. § 1915A. Quintana alleged that correctional officials lost or misplaced legal documents, forged or interfered with a grievance withdrawal, and retaliated against him, asserting constitutional and federal statutory claims. The court concludes that the federal claims fail to state a claim and declines supplemental jurisdiction over any remaining state-law claims.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Michael F. Urbanski
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	May 20, 2026
DOCKET	7:25-cv-00296
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state inmate proceeding pro se filed an amended complaint under 42 U.S.C. § 1983 against correctional officials. The district court screened the amended complaint under 28 U.S.C. § 1915A(a).
STANDARD OF REVIEW	On screening under 28 U.S.C. § 1915A, the court must dismiss a complaint or portion of a complaint that fails to state a claim upon which relief may be granted. The court accepts well-pleaded factual allegations as true and requires sufficient factual matter to state a claim that is plausible on its face. Pro se pleadings are construed liberally but must still satisfy the plausibility requirement.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum opinion
PARTIES	Amilcar Joshua Quintana v. Allen, Cobb, Still

TOPICS

section 1983 prisoners rights civil rights pleadings remedies

PRACTICE AREAS

Civil rights Prisoner civil rights Constitutional law Federal civil procedure

QUESTIONS PRESENTED

1. Whether Quintana stated a First Amendment claim based on alleged interference with the prison grievance process, denial of access to the courts, or retaliation.
2. Whether Quintana stated a claim under the Fifth, Eighth, Ninth, or Thirteenth Amendments.
3. Whether the alleged loss or misplacement of legal documents or interference with grievances stated a procedural due process claim under the Fourteenth Amendment.
4. Whether Quintana stated an equal protection claim under the Fourteenth Amendment or a privileges-and-immunities claim under Article IV.
5. Whether Quintana stated claims under 18 U.S.C. §§ 2 and 922(a)(6), 42 U.S.C. §§ 1981, 1985(3), or 1997d.
6. Whether the court should exercise supplemental jurisdiction over the remaining state-law claims after dismissing all federal claims.

HOLDINGS

1. The alleged interference with or mishandling of a particular prison grievance did not, without more, establish a First Amendment violation because inmates have no constitutional entitlement to a specific grievance procedure.
2. Quintana failed to state an access-to-the-courts claim because he did not allege an actual injury involving the loss or frustration of a nonfrivolous legal claim.
3. Quintana failed to state a First Amendment retaliation claim because he did not plausibly allege that defendants' conduct would deter a person of ordinary firmness from exercising First Amendment rights or caused more than a de minimis inconvenience.
4. Quintana could not state a Fifth Amendment due process claim against state correctional officials because the Fifth Amendment applies to federal, not state, actors.
5. Quintana failed to state an Eighth Amendment claim because he did not allege a serious deprivation or that any defendant consciously disregarded an excessive risk to his health or safety.
6. The Ninth Amendment claim failed because the Ninth Amendment creates no independent constitutional rights, and the Thirteenth Amendment claim failed because Quintana alleged no involuntary servitude or forced labor.
7. Quintana failed to state a procedural due process claim based on lost property or grievance handling because Virginia provides an adequate post-deprivation remedy and inmates have no federally protected interest in a particular grievance process or outcome.

8. Quintana failed to state an equal protection claim because he alleged neither differential treatment of similarly situated persons nor intentional discrimination, and he failed to state an Article IV claim because he alleged no discrimination based on out-of-state residency.
9. Quintana could not pursue civil claims under 18 U.S.C. §§ 2 or 922(a)(6) because those criminal provisions do not create an express or implied private right of action.
10. Quintana failed to state claims under §§ 1981 and 1985(3) because he alleged no race-based or other class-based discriminatory animus, and he could not maintain a private action under § 1997d because its anti-retaliation provision does not create a private right of action.
11. The court declined to exercise supplemental jurisdiction over Quintana's state-law claims after dismissing all claims over which it had original jurisdiction.

KEY QUOTATIONS

“The federal claims are dismissed without prejudice under 28 U.S.C. § 1915A(b)(1), and the remaining claims under state law are dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3).”

FACTUAL BACKGROUND

Quintana, a Virginia state inmate housed at Red Onion State Prison pursuant to an interstate corrections compact, alleged that he gave Lieutenant Allen legal documents and a money withdrawal form for mailing to a North Carolina court, but the documents were not mailed. He filed grievances concerning the missing documents and later alleged that Allen forged his signature on a grievance-withdrawal form; a prison investigation concluded that camera footage showed Quintana signing the document. Quintana then filed additional grievances against Allen, Sergeant Cobb, and Grievance Coordinator Still, and brought federal and state claims seeking monetary compensation and a transfer.

PROCEDURAL HISTORY

Quintana alleged that correctional officials lost or misplaced legal documents, forged or mishandled a grievance withdrawal, and retaliated against him. After using the Virginia Department of Corrections grievance process, he filed this action. The court dismissed all federal claims without prejudice for failure to state a claim under § 1915A(b)(1) and declined supplemental jurisdiction over the state-law claims under § 1367(c)(3).

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- King v. Rubenstein, 825 F.3d 206, 214 (4th Cir. 2016)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985)
- Jackson v. Dameron, 171 F.4th 641, 650 (4th Cir. 2026)

- Thomas v. Salvation Army S. Terr., 841 F.3d 632, 637 (4th Cir. 2016)
- Carter v. Butler, No. 1:24-cv-00902, 2025 WL 2776284, at *8 (D. Md. Sept. 29, 2025)
- Booker v. S.C. Dep't of Corr., 855 F.3d 533, 541-42 (4th Cir. 2017)
- DeMarco v. Davis, 914 F.3d 383, 387 (5th Cir. 2019)
- Lewis v. Casey, 518 U.S. 343, 351, 353-55 (1996)
- Cochran v. Morris, 73 F.3d 1310, 1317 (4th Cir. 1996)
- Gee v. Pacheco, 627 F.3d 1178, 1190 (10th Cir. 2010)
- Christopher v. Harbury, 536 U.S. 403, 415 (2002)
- Carter v. Collins, No. 7:22-cv-00025, 2024 WL 1260588, at *13 (W.D. Va. Mar. 25, 2024)
- Malott v. Weaver, No. 1:18-cv-00062, 2018 WL 1357825, at *8 (W.D. Mich. Mar. 16, 2018)
- Gonzalez v. Bendt, 971 F.3d 742, 746 (8th Cir. 2020)
- Ross v. Blake, 578 U.S. 632 (2016)
- Griffin v. Bryant, 56 F.4th 328, 335 (4th Cir. 2022)
- Martin v. Duffy, 858 F.3d 239, 249 (4th Cir. 2017)
- Williams v. Mitchell, 122 F.4th 85, 89 (4th Cir. 2024)
- Constantine v. Rectors & Visitors of George Mason Univ., 411 F.3d 474, 500 (4th Cir. 2005)
- Fogle v. Infante, 595 F. App'x 807, 810 (10th Cir. 2014)
- Owens v. Coleman, 629 F. App'x 163, 167 (3d Cir. 2015)
- Brown v. Lewis, No. 18-2363, 2019 U.S. App. LEXIS 27688, at *7 (6th Cir. 2019)
- Richards v. Perttu, 96 F.4th 911, 915, 918 (6th Cir. 2024)
- Ferebee v. Gibson, No. 7:19-cv-00310, 2019 WL 2395491, at *2 (W.D. Va. June 6, 2019)
- Muhammad v. Jarrett, No. 1:19-cv-00746, 2020 WL 7647635, at *7 (E.D. Va. Dec. 23, 2020)
- Martinez-Rivera v. Ramos, 498 F.3d 3, 8 (1st Cir. 2007)
- Lee v. City of Los Angeles, 250 F.3d 668, 687 (9th Cir. 2001)
- Dusenberry v. United States, 534 U.S. 161, 167 (2002)
- King v. Riley, King v. Riley, 76 F.4th 259, 264 (4th Cir. 2023)
- Raynor v. Pugh, 817 F.3d 123, 127 (4th Cir. 2016)
- Danser v. Stansberry, 772 F.3d 340, 346-47 (4th Cir. 2014)
- Ford v. Hooks, 108 F.4th 224, 230 (4th Cir. 2024)
- Wohlford v. United States Dep't of Agric., No. 87-2043, 1988 WL 24281, at *1 (4th Cir. Mar. 17, 1988)
- Strandberg v. City of Helena, 791 F.2d 744, 748 (9th Cir. 1986)
- Risley v. Hawk, 918 F. Supp. 18, 22 (D.D.C. 1996)
- Shaw v. Foreman, 59 F.4th 121, 127 (4th Cir. 2023)
- Zinermon v. Burch, 494 U.S. 113, 127-28 (1990)
- Hawes v. Stephens, 964 F.3d 412, 418 (5th Cir. 2020)
- Wadhams v. Proconier, 772 F.2d 75, 78 (4th Cir. 1985)
- Geiger v. Jowers, 404 F.3d 371, 374 (5th Cir. 2005)

- Taek Sang Yoon v. Arnett, 385 F. App'x 666, 668 (9th Cir. 2010)
- Desper v. Clarke, 1 F.4th 236, 248 (4th Cir. 2021)
- Fauconier v. Clarke, 966 F.3d 265, 277 (4th Cir. 2020)
- Giannini v. Real, 911 F.2d 354, 357 (9th Cir. 1990)
- Barefoot v. City of Wilmington, 306 F.3d 113, 125 (4th Cir. 2002)
- Doe v. Broderick, 225 F.3d 440, 447 (4th Cir. 2000)
- Cort v. Ash, 422 U.S. 66, 80 (1975)
- United States v. Duroseau, 26 F.4th 674, 977 (4th Cir. 2022)
- Central Bank of Denver, N.A. v. First Interstate Bank of Denver, N.A., 511 U.S. 164, 191 (1994)
- Jimenez v. WellStar Health Sys., 596 F.3d 1304, 1308 (11th Cir. 2010)
- Nnadozie v. Genesis Healthcare WellStar Health Sys., 730 F. App'x 151, 157 (4th Cir. 2018)
- C & H Co. v. Richardson, 78 F. App'x 894, 901 (4th Cir. 2003)
- Griffin v. Breckenridge, 403 U.S. 88, 102-03 (1971)
- Strickland v. United States, 32 F.4th 311, 361-62 (4th Cir. 2022)
- Simmons v. Poe, 47 F.3d 1370, 1376 (4th Cir. 1995)
- Price v. Brittain, 874 F.2d 252, 262 (5th Cir. 1989)
- Miller v. Fed. Bureau of Prisons, 703 F. Supp. 2d 8, 16 (D.D.C. 2010)
- McRorie v. Shimoda, 795 F.2d 780, 782 n.3 (9th Cir. 1986)
- Gordon v. Schilling, 937 F.3d 348, 353 n.6 (4th Cir. 2019)

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