

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Joshua Webster v. Atlantic County Justice Facility, et al.

Webster · No. Civil Action No. 24-10477 (ZNQ) · Decided December 15, 2025

SUMMARY

The United States District Court for the District of New Jersey screened Joshua Webster’s prisoner civil rights complaint concerning allegedly malfunctioning or timed-flush toilets at the Atlantic County Justice Facility. The court granted in forma pauperis status, dismissed the claims against the facility with prejudice because a county jail is not a proper § 1983 defendant, dismissed the claims against the warden without prejudice for failure to allege personal involvement, and granted leave to amend.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Zahid N. Quraishi
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 15, 2025
DOCKET	Civil Action No. 24-10477 (ZNQ)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Sua sponte screening of a prisoner's complaint and application to proceed in forma pauperis under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	The court applied the Rule 12(b)(6) plausibility standard during mandatory screening under 28 U.S.C. § 1915(e)(2)(B), accepting well-pleaded factual allegations as true and drawing reasonable inferences in the plaintiff's favor, while disregarding legal conclusions couched as factual allegations.
PRECEDENTIAL VALUE	Unpublished, not for publication
PARTIES	Joshua Webster v. Atlantic County Justice Facility, Michael Kelly

TOPICS

- section 1983
- prisoners rights
- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Atlantic County Justice Facility is a proper defendant in a 42 U.S.C. § 1983 action.
2. Whether the complaint plausibly alleged that Warden Michael Kelly had personal involvement, knowledge and acquiescence, or responsibility for a policy or custom causing the alleged plumbing conditions.
3. Whether the complaint should be dismissed under the mandatory screening provisions of 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.

HOLDINGS

1. A county jail is not a proper defendant in a § 1983 civil rights action because it is not a separate entity from the municipality that operates it. The claims against the Atlantic County Justice Facility were dismissed with prejudice.
2. The complaint failed to state a plausible § 1983 claim against Warden Kelly because it alleged no facts showing his personal involvement, actual knowledge and acquiescence, or creation of a policy or custom that was the moving force behind the alleged plumbing conditions.
3. Because the complaint failed to state a claim for relief, the court was required to dismiss it under 28 U.S.C. § 1915(e)(2)(B). The claims against the jail were dismissed with prejudice, while the claims against Kelly were dismissed without prejudice with leave to amend.

KEY QUOTATIONS

“A defendant in a civil rights proceeding brought pursuant to § 1983 cannot be held liable merely based on his supervisory position, instead he must have personal involvement in the alleged wrong.”

“Without such additional factual matter, Plaintiff has not alleged a plausible claim for relief against Kelly, and Plaintiff’s claims against Kelly must be dismissed without prejudice at this time for failure to state a claim for which relief may be granted.”

FACTUAL BACKGROUND

Webster was a pretrial detainee housed at the Atlantic County Justice Facility. He alleged that the toilets in his cell flushed on a timer during certain periods, requiring him to use a toilet that had not yet been flushed. He did not allege how frequently or for how long the condition occurred, nor did he allege facts showing that Warden Michael Kelly knew of or personally caused the condition.

PROCEDURAL HISTORY

Webster, a pretrial detainee, filed a pro se § 1983 complaint against the Atlantic County Justice Facility and its warden, Michael Kelly, along with an application to proceed in forma pauperis. The court granted in forma pauperis status, screened the complaint, dismissed the claims against the jail with prejudice because the jail was

not a separate entity subject to suit, and dismissed the claims against Kelly without prejudice for failure to state a claim. The court granted leave to amend within thirty days.

DISPOSITION

dismissed

CASES CITED

- Schreane v. Seana, 506 F. App'x 120, 122 (3d Cir. 2012)
- Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000)
- Phillips v. Cnty. of Allegheny, 515 F.3d 224, 228 (3d Cir. 2008)
- Papasan v. Allain, 478 U.S. 265, 286 (1986)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Mala v. Crown Bay Marina, Inc., 704 F.3d 239, 245 (3d Cir. 2013)
- Harris v. Hudson Cnty. Jail, No. 14-6284, 2015 WL 1607703, at *5 (D.N.J. Apr. 8, 2015)
- Chavarriaga v. N.J. Dep't of Corr., 806 F.3d 210, 222 (3d Cir. 2015)
- Rode v. Dellarciprete, 845 F.2d 1195, 1207-08 (3d Cir. 1988)
- Natale v. Camden Cnty. Corr. Facility, 318 F.3d 575, 583-84 (3d Cir. 2003)