

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

Rahsan Drakeford v. Unit Mngr. Earhart, et al.

No. 7:24-cv-00041 (W.D. Va. Apr. 7, 2026) · No. 7:24-cv-00041 · Decided April 7, 2026

SUMMARY

The United States District Court for the Western District of Virginia denied Rahsan Drakeford’s motion for an extension of time, construing it as a motion to reconsider the court’s prior grant of summary judgment to the defendants. The court held that the late supplemental response presented no evidence warranting reconsideration of the Eighth Amendment conditions-of-confinement ruling and declined to consider a due-process theory raised for the first time at that stage. The underlying claims concerned Drakeford’s temporary confinement in a dry cell and alleged deprivation of basic amenities at River North Correctional Center.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Thomas T. Cullen
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	April 7, 2026
DOCKET	7:24-cv-00041
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an extension of time to file a supplemental response after the court had granted defendants' motion for summary judgment. The court construed the motion as a motion under Federal Rule of Civil Procedure 59(e) to reconsider or alter the summary judgment ruling.
STANDARD OF REVIEW	A Rule 59(e) motion is reviewed under a broad discretionary standard, but a court will not consider new arguments or evidence that could have been presented before judgment. The underlying summary judgment ruling is proper when no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law.

PRECEDENTIAL VALUE	Unpublished district court memorandum opinion; limited persuasive value.
PARTIES	Rahsan Drakeford v. Unit Mngr. Earhart, Lieutenant May, Sergeant Bemis, Intel Officer Hartman, Lieutenant Hickman

TOPICS

motion for reconsideration

summary judgment

prisoners rights

cruel and unusual punishment

section 1983

PRACTICE AREAS

Civil rights

Prisoner litigation

Federal civil procedure

QUESTIONS PRESENTED

1. Whether Drakeford's motion for an extension of time, construed as a Rule 59(e) motion, warranted reconsideration or alteration of the prior summary judgment ruling.
2. Whether the late supplemental response presented new evidence or argument sufficient to create a genuine dispute of material fact concerning whether the temporary dry-cell conditions violated the Eighth Amendment.
3. Whether the court could consider a Fourteenth Amendment due-process theory raised for the first time in the supplemental response to the summary judgment motion or in the motion for reconsideration.

HOLDINGS

1. Reconsideration was not warranted because Drakeford's motion and late supplemental response presented no argument or evidence showing that the prior summary judgment ruling was erroneous.
2. The temporary deprivations associated with Drakeford's dry-cell confinement were not sufficiently extreme to constitute cruel and unusual punishment under the Eighth Amendment.
3. The court could not consider Drakeford's Fourteenth Amendment due-process theory because he raised it for the first time in response to summary judgment and on reconsideration rather than in his pleadings.

KEY QUOTATIONS

“[T]he court concludes that the temporary deprivations Plaintiff experienced, while inconvenient and uncomfortable, were not so extreme as to constitute cruel and unusual punishment.” (at 12-14)

“Nevertheless, “courts will not address new arguments or evidence that the moving party could have raised before the decision issued.”” (Section II)

FACTUAL BACKGROUND

While incarcerated at River North Correctional Center, Drakeford was placed in a dry cell after prison officials suspected that he had ingested drugs or contraband. He alleged that he was deprived of clothing, shoes, soap,

toothpaste, meals, toilet paper, and other basic amenities, and that officials conducted or maintained the confinement under orders from supervisory personnel. His original claims concerned the conditions of the dry-cell confinement and asserted an Eighth Amendment violation. His later supplemental response attempted to raise a new Fourteenth Amendment due-process theory concerning the urine screen and the absence of drugs in his body or excrement.

PROCEDURAL HISTORY

Drakeford filed a 42 U.S.C. § 1983 action alleging that defendants violated the Eighth Amendment by placing him in a dry cell and depriving him of basic amenities. After defendants moved for summary judgment, Drakeford filed an unsworn opposition. The court allowed him an opportunity to supplement after defendants filed omitted exhibits, but he did not timely do so. The court granted defendants summary judgment on September 30, 2025. Drakeford filed a supplemental response three days later and later moved for an extension of time; the court denied the motion and declined to alter or amend the judgment.

DISPOSITION

other

CASES CITED

- Daulatzai v. Maryland, 97 F.4th 166, 177-78 (4th Cir. 2024)
- White v. N.H. Dep't of Emp. Sec., 455 U.S. 445, 450 (1982)
- Banister v. Davis, 590 U.S. 504, 508 (2020)
- Stewart v. Wright, 101 F.3d 704 (7th Cir. 1996)
- Harris v. Reston Hosp. Ctr., LLC, 523 F. App'x 938, 946 (4th Cir. 2013)

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