

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

Marcus C. Ingram v. Israel Hamilton, et al.

Ingram · No. 7:24-cv-00138 · Decided June 17, 2026

SUMMARY

The United States District Court for the Western District of Virginia granted summary judgment to prison officials in Marcus C. Ingram’s action alleging failure to protect under the Eighth Amendment and negligence under Virginia law. The court held that Ingram did not provide sufficient evidence that the defendants had subjective knowledge of a substantial risk of serious harm, and that negligence claims under the Virginia Tort Claims Act could not be maintained against individual state officials in federal court. The court also denied Ingram’s motion for additional discovery under Federal Rules of Civil Procedure 26 and 56(d).

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Virginia, Roanoke Division                                                                                                                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | Robert S. Ballou                                                                                                                                                                                                                                                                                                                                                                                                        |
| JURISDICTION          | United States District Court for the Western District of Virginia, Roanoke Division                                                                                                                                                                                                                                                                                                                                     |
| DECIDED               | June 17, 2026                                                                                                                                                                                                                                                                                                                                                                                                           |
| DOCKET                | 7:24-cv-00138                                                                                                                                                                                                                                                                                                                                                                                                           |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Plaintiff brought a 42 U.S.C. § 1983 failure-to-protect claim under the Eighth Amendment and Virginia-law negligence claims. Defendants Hamilton, Whaley, and Coleman moved for summary judgment under Federal Rule of Civil Procedure 56. Plaintiff moved for discovery to oppose summary judgment.                                                                                                                    |
| STANDARD OF REVIEW    | Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court views reasonable inferences in favor of the nonmoving party, may not weigh evidence or resolve credibility disputes, and requires the nonmovant to identify specific facts establishing a genuine issue. A Rule 56(d) discovery request must |

|                           |                                                                                   |
|---------------------------|-----------------------------------------------------------------------------------|
|                           | show that the requested discovery would be sufficient to oppose summary judgment. |
| <b>PRECEDENTIAL VALUE</b> | unpublished district court memorandum opinion; nonprecedential                    |
| <b>PARTIES</b>            | Marcus C. Ingram v. Israel Hamilton, S. Whaley, S. Coleman                        |

## TOPICS

[section 1983](#)
[prisoners rights](#)
[cruel and unusual punishment](#)
[summary judgment](#)
[eleventh amendment immunity](#)

## PRACTICE AREAS

[civil rights](#)
[prisoner litigation](#)
[constitutional torts](#)
[sovereign immunity](#)
[civil procedure](#)

## QUESTIONS PRESENTED

1. Whether Defendants were deliberately indifferent under the Eighth Amendment by failing to protect Ingram from an assault by his cellmate.
2. Whether Ingram could maintain Virginia Tort Claims Act negligence claims against individual state officers in federal court.
3. Whether Ingram was entitled to additional discovery under Federal Rules of Civil Procedure 26 and 56(d) to oppose summary judgment.

## HOLDINGS

1. The failure-to-protect claim fails because Ingram did not present sufficient evidence that any Defendant subjectively knew of a substantial risk of serious harm from Finney and disregarded that risk.
2. Ingram may not maintain Virginia Tort Claims Act negligence claims against Hamilton, Whaley, and Coleman individually, and Defendants are entitled to summary judgment on those claims.
3. The motion for additional discovery is denied because the requested three months of body-camera footage was irrelevant or disproportionate and Ingram failed to show that it would create a genuine dispute sufficient to defeat summary judgment.

## KEY QUOTATIONS

*“The Constitution does not mandate comfortable prisons, but neither does it permit inhumane ones.”*

*“Just because someone is behaving strangely and suffers from a mental illness does not mean that person is dangerous, nor does it put anyone on notice that an attack will occur.”*

## FACTUAL BACKGROUND

Ingram, a Virginia inmate, was assigned to share a cell with David Finney in December 2022. Ingram observed Finney's unusual behavior and in January 2023 requested a cell change from Lieutenant Coleman, allegedly

mentioning that Finney was behaving strangely, writing on the cell wall, and had stopped obtaining medication; Ingram did not allege that he expressly told officials he feared an attack or that Finney had threatened him. On March 3, 2023, Finney attacked Ingram with a lock in a sock, causing head injuries requiring hospital treatment and staples. Ingram later asserted that prison officials negligently failed to follow security procedures and that he needed additional body-camera footage to challenge Coleman's account.

## PROCEDURAL HISTORY

Ingram filed the action on February 22, 2024. After discovery, Defendants moved for summary judgment, and Ingram sought additional body-camera footage and related discovery under Rules 26 and 56(d). The court granted Defendants' summary-judgment motion and denied Ingram's discovery motion.

## DISPOSITION

other

## CASES CITED

- Williams v. Griffin, 952 F.2d 820, 823 (4th Cir. 1991)
- Overstreet v. Ky. Cent. Life Ins. Co., 950 F.2d 931, 937 (4th Cir. 1991)
- Russell v. Microdyne Corp., 65 F.3d 1229, 1239 (4th Cir. 1995)
- Jacobs v. N.C. Admin. Off. of the Cts., 780 F.3d 565 n.1 (4th Cir. 2015)
- Mitchell v. Data Gen. Corp., 12 F.3d 1310, 1315-16 (4th Cir. 1993)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Cox v. County of Prince William, 249 F.3d 295, 299 (4th Cir. 2001)
- Cloaninger v. McDevitt, 555 F.3d 324, 336 (4th Cir. 2009)
- Farmer v. Brennan, 511 U.S. 825, 832, 834-37, 842-43, 847 (1994)
- Makdessi v. Fields, 789 F.3d 126, 132-33 (4th Cir. 2015)
- Pfaller v. Amonette, 55 F.4th 436, 445 (4th Cir. 2022)
- King v. Riley, King v. Riley, 76 F.4th 259, 264, 267 (4th Cir. 2023)
- Case v. Beasley, 167 F.4th 651, 660 (4th Cir. 2026)
- Equity in Athletics, Inc. v. Dep't of Educ., 639 F.3d 91, 107 n.12 (4th Cir. 2011)
- Bd. of Trs. v. Garrett, 531 U.S. 356, 363 (2001)
- McConnell v. Adams, 829 F.2d 1319, 1329 (4th Cir. 1987)
- Creed v. Virginia, 596 F. Supp. 2d 930, 938 (E.D. Va. 2009)