

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, WAYCROSS DIVISION

James Andrew Sims, Jr. v. Coffee County Sheriff's Office, Entire
Police Dept., and Entire Sheriff's Dept.

Sims · No. 5:25-cv-55 · Decided November 24, 2025

SUMMARY

The United States District Court for the Southern District of Georgia dismissed without prejudice James Andrew Sims, Jr.’s 42 U.S.C. § 1983 complaint arising from his arrest. The court held that the Douglas Police Department, Coffee County Sheriff’s Office, and Coffee County Jail were not proper persons subject to suit under § 1983, closed the case, and denied leave to proceed in forma pauperis on appeal.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Waycross Division
WRITING FOR THE COURT	Benjamin W. Cheesbro
JURISDICTION	United States District Court for the Southern District of Georgia, Waycross Division
DECIDED	November 24, 2025
DOCKET	5:25-cv-55
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff filed a pro se 42 U.S.C. § 1983 action arising from his arrest. The district court conducted mandatory prisoner and in forma pauperis screening under 28 U.S.C. § 1915A and dismissed the complaint without prejudice.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must identify cognizable claims and dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Pro se pleadings are liberally construed, but they must still satisfy applicable procedural requirements and contain sufficient factual matter to state a plausible claim.
PRECEDENTIAL VALUE	unpublished district court order

PARTIES

Coffee County Sheriff's Office, Entire Police Dept., Entire Sheriff's Dept.

TOPICS

section 1983 civil rights pleadings appellate procedure civil procedure

PRACTICE AREAS

civil rights civil procedure prisoner civil rights appellate procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a claim under 42 U.S.C. § 1983 against the entire police department, sheriff's office, and county jail.
2. Whether the plaintiff should be denied in forma pauperis status for an appeal because any appeal would not be taken in good faith.

HOLDINGS

1. The complaint failed to state a § 1983 claim because the Douglas Police Department, Coffee County Sheriff's Office, and Coffee County Jail were not persons or suable legal entities subject to liability under § 1983.
2. The plaintiff was denied leave to proceed in forma pauperis on appeal because an appeal from the dismissal would not be taken in good faith.

KEY QUOTATIONS

"Because the Douglas Police Department, Coffee County Sheriff's Office, and Coffee County Jail are not 'persons' subject to suit under § 1983, the Complaint should be dismissed in its entirety."

"Thus, I DENY Plaintiff in forma pauperis status on appeal."

FACTUAL BACKGROUND

Sims alleged that he was shot and attacked by police during his April 25, 2025 arrest. He alleged that his leg was injured when officers pulled him from his vehicle after he surrendered. He did not identify any individual officer and instead named the entire police department, sheriff's department, and jail. He sought medical treatment and compensation for medical bills, physical injuries, and mental-health injuries.

PROCEDURAL HISTORY

Sims filed a complaint alleging that police officers shot and attacked him during his April 25, 2025 arrest and injured his leg while removing him from his vehicle. He named the entire police department, sheriff's department, and jail rather than individual officers or a legally suable governmental entity. After screening, the court dismissed the complaint in its entirety, closed the case, and denied leave to proceed in forma pauperis on appeal.

DISPOSITION

dismissed

CASES CITED

- Waldman v. Conway, 871 F.3d 1283, 1289 (11th Cir.)
- Haines v. Kerner, 404 U.S. 519, 520
- McNeil v. United States, 508 U.S. 106, 113
- Moore v. Bargstedt, 203 F. App'x 321, 323 (11th Cir.)
- Ashcroft v. Iqbal, 556 U.S. 662, 678
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555
- Hale v. Tallapoosa County, 50 F.3d 1579, 1582 (11th Cir.)
- Strange v. JPay Corp., No. 19-15154, 2020 WL 3547931, at *2 (11th Cir. June 9, 2020)
- Dean v. Barber, 951 F.2d 1210, 1214 (11th Cir.)
- Nichols v. Ala. State Bar, 815 F.3d 726, 731 (11th Cir.)
- Papasan v. Allain, 478 U.S. 265, 276
- Williams v. Chatham Cnty. Sherriff's Complex, Case No. 4:07-cv-68, 2007 WL 2345243 (S.D. Ga. Aug. 14, 2007)
- Busch v. County of Volusia, 189 F.R.D. 687, 691 (M.D. Fla.)
- Coppedge v. United States, 369 U.S. 438, 445
- Neitzke v. Williams, 490 U.S. 319, 327
- Carroll v. Gross, 984 F.2d 392, 393 (11th Cir.)
- Bilal v. Driver, 251 F.3d 1346, 1349 (11th Cir.)
- Brown v. United States, Nos. 407CV085, 403CR001, 2009 WL 307872, at *1–2 (S.D. Ga. Feb. 9, 2009)