

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Jayson Perez Veguilla v. NaphCare, et al.

Case No. 8:25-cv-3114-JLB-TGW · No. 8:25-cv-3114-JLB-TGW · Decided January 22, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice a pro se prisoner’s 42 U.S.C. § 1983 complaint alleging delayed medical care at the Manatee County Jail. The court held that the jail was not a legal entity subject to suit and that the allegations did not adequately establish liability against NaphCare under a policy-or-custom theory. The court granted leave to amend within thirty days and provided instructions for identifying individual defendants and filing an amended complaint.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	John L. Badalamenti
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 22, 2026
DOCKET	8:25-cv-3114-JLB-TGW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil-rights complaint screened under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A; complaint dismissed without prejudice with leave to amend.
STANDARD OF REVIEW	At initial screening, the court accepted factual allegations as true and viewed them in the light most favorable to Plaintiff, but disregarded legal conclusions. The court applied the Rule 12(b)(6) failure-to-state-a-claim standard as incorporated into the screening statutes.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jayson Perez Veguilla v. NaphCare, et al.

TOPICS

prisoners rights

section 1983

pleadings

civil procedure

motions to dismiss

PRACTICE AREAS

prisoner civil rights

constitutional torts

federal civil procedure

QUESTIONS PRESENTED

1. Whether the Manatee County Jail is a legal entity capable of being sued under 42 U.S.C. § 1983.
2. Whether Plaintiff adequately alleged that a policy or custom of NaphCare caused a constitutional violation.
3. Whether Plaintiff adequately identified and pleaded claims against Nurse Sterling and the unnamed correctional officer.
4. Whether the complaint should be dismissed without prejudice with leave to amend for failure to state a claim.

HOLDINGS

1. The Manatee County Jail lacks the capacity to be sued under Florida law and therefore cannot be liable as a defendant in Plaintiff's § 1983 action.
2. Plaintiff failed to state a § 1983 claim against NaphCare because he did not allege that a NaphCare policy or custom caused the alleged constitutional violation.
3. The complaint did not adequately identify or plead claims against Nurse Sterling and the unnamed correctional officer because Plaintiff was required to identify each defendant in the caption and clearly state what each defendant did or failed to do.
4. The complaint was dismissed without prejudice, and Plaintiff was granted thirty days to file a complete amended complaint curing the identified deficiencies.

KEY QUOTATIONS

“This screening procedure requires the court to dismiss a prisoner’s civil action before service of process if it determines that the complaint is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary damages from a defendant who is immune from such relief.” (at 1)

“However, NaphCare cannot be liable for its employees’ acts merely on a theory of respondeat superior.” (at 4)

“The amended complaint shall supersede all prior complaints.” (at 5)

FACTUAL BACKGROUND

While detained in the Manatee County Jail on October 30, 2024, Plaintiff alleged that he declared a medical emergency and was initially ignored by a correctional officer. He further alleged that, after being taken to the medical department, Nurse Sterling dismissed his complaints of chest pain and difficulty breathing, while Nurse Waters ultimately called 911. Plaintiff alleged that the delay nearly caused his death.

PROCEDURAL HISTORY

Plaintiff filed a pro se 42 U.S.C. § 1983 complaint alleging that jail personnel delayed or denied emergency medical care. He moved to proceed in forma pauperis, and the court screened the complaint before service of process. The court dismissed the complaint without prejudice because it failed to state a claim against the named defendants, while allowing Plaintiff thirty days to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Davis v. Kvalheim, 261 F. App'x 231, 235 (11th Cir. 2008)
- Carroll v. Gross, 984 F.2d 392, 393 (11th Cir. 1993)
- Williams v. Board of Regents, 477 F.3d 1282, 1291 (11th Cir. 2007)
- Dean v. Barber, 951 F.2d 1210, 1214 (11th Cir. 1992)
- Maldonado v. Baker Cty. Sheriff's Office, 513 F. Supp. 3d 1339, 1348 (M.D. Fla. 2021)
- Buckner v. Toro, 116 F.3d 450, 452 (11th Cir. 1997)
- Scala v. City of Winter
- Monell v. N.Y.C. Dep't of Social Services, 436 U.S. 658, 694 (1978)
- Malowney v. Fed. Collection Deposit Grp., 193 F.3d 1342, 1345 n.1 (11th Cir. 1999)
- Auto. Alignment & Body Serv., Inc. v. State Farm Mut. Auto. Ins. Co., 953 F.3d 707, 720-21 (11th Cir. 2020)
- Hertz Corp. v. Alamo Rent-A-Car, Inc., 16 F.3d 1126 (11th Cir. 1994)