

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION**

Kevin Jacob Hahn v. Sergeant Wells, et al.

Civil Action No. 3:25CV508 · No. Civil Action No. 3:25CV508 · Decided December 10, 2025

SUMMARY

The United States District Court for the Eastern District of Virginia dismissed without prejudice a pro se prisoner's 42 U.S.C. § 1983 action. The court held that the complaint failed to identify the constitutional right allegedly violated and did not provide each defendant fair notice of the factual and legal basis for liability; the plaintiff then failed to file the ordered particularized complaint.

OPINION

Hahn

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

KEVIN JACOB HAHN,

Plaintiff, v. Civil Action No. 3:25CV508

SERGEANT WELLS, et al. □□□

Defendants.

MEMORANDUM OPINION

The plaintiff, a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See *Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his current complaint, the plaintiff does not identify the constitutional right that was violated by the defendants' conduct. The plaintiffs current allegations also fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. See *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order entered on October 29, 2025, the Court directed the plaintiff to submit a particularized complaint within thirty (30) days of the date of entry thereof. The Court warned the plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action. More than thirty (30) days have elapsed since the entry of the October 29, 2025 Memorandum Order. The plaintiff failed to submit a particularized complaint or otherwise respond to the October 29,

2025 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. An appropriate Order will accompany this Memorandum Opinion. Date: \2fio/25 Richmond, Virginia fa S. John A. Gibney, Jr. Senior United States 'Distri | Judge

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