

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

Jermaine Antoine English v. David Cox, Dr. Bruce St. Amour, NP Kimla McDanial-Nagari, and Sheriff Antonio D. Hash

No. 7:24-cv-00401, United States District Court for the Western District of Virginia (March 9, 2026)

SUMMARY

The United States District Court for the Western District of Virginia dismissed Jermaine Antoine English’s 42 U.S.C. § 1983 claims against jail defendants David Cox and Antonio D. Hash, concluding that the amended complaint did not plausibly allege deliberate indifference to serious medical needs under either the Eighth or Fourteenth Amendment. The court dismissed the claims against medical defendants Bruce St. Amour and Kimla McDanial-Nagari based on bankruptcy-related discharge and injunction orders concerning their employer, Wellpath Holdings, Inc., and denied their motion to dismiss as moot.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	Thomas T. Cullen
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	March 9, 2026
DOCKET	7:24-cv-00401
DISPOSITION	dismissed
PROCEDURAL POSTURE	Motions to dismiss under Rule 12(b)(6)
STANDARD OF REVIEW	Plausibility standard under Ashcroft v. Iqbal and Bell Atlantic Corp. v. Twombly
PRECEDENTIAL VALUE	Unpublished

TOPICS

- motions to dismiss
- section 1983
- prisoners rights
- civil procedure
- bankruptcy

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff stated a plausible Eighth Amendment deliberate-indifference claim against the Jail Defendants (Hash and Cox)
2. Whether Plaintiff stated a plausible Fourteenth Amendment deliberate-indifference claim against the Jail Defendants (Hash and Cox)
3. Whether Plaintiff's claims against the Medical Defendants (Dr. St. Amour and NP McDaniel-Nagari) are barred by bankruptcy court orders discharging claims against their employer and related parties

HOLDINGS

1. Plaintiff failed to state a plausible Eighth Amendment claim against Hash because his allegations do not show that Hash's actions were insufficient to mitigate any risk of harm to Plaintiff arising from his medical needs.
2. Plaintiff failed to state a plausible Eighth Amendment claim against Cox because he did not sufficiently allege that Cox was personally involved in the denial of medical treatment or deliberately interfered with Plaintiff's ability to seek treatment.
3. Plaintiff failed to state a plausible Fourteenth Amendment claim against Hash because his allegations do not demonstrate that Hash intentionally, knowingly, or recklessly acted in a manner insufficient to address any risk to Plaintiff or that Hash should have known the transfer posed an unjustifiably high risk of harm.
4. Plaintiff failed to state a plausible Fourteenth Amendment claim against Cox because his allegations are conclusory and do not show that Cox's personal action or inaction posed an unjustifiably high risk of harm or that Cox intentionally, knowingly, or recklessly failed to address the risk.
5. Plaintiff's claims against the Medical Defendants are subject to dismissal based on the bankruptcy court's Confirmation Order and Stay Order, which discharged claims against Wellpath Holdings, Inc. and its related parties, including employees and agents, and enjoined claim holders from continuing actions.

KEY QUOTATIONS

"To survive such a motion, "a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007))." (Mem. Op. at 7-8)

"[T]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." Iqbal, 556 U.S. at 678–79" (Mem. Op. at 16)

FACTUAL BACKGROUND

Plaintiff alleges that while incarcerated at the Roanoke Adult Detention Center, he had a scheduled surgery at Carilion Orthopedics for his right arm on July 25, 2023. Defendant Hash, the Sheriff overseeing RADDC, allowed Plaintiff to be transferred to the Western Virginia Regional Jail despite knowing of the upcoming appointment.

At WVRJ, Defendants Cox (Superintendent), Dr. St. Amour, and NP McDaniel-Nagari allegedly failed to review his medical records, ignored his reminders about the appointment, and caused him to miss the surgery, resulting in permanent harm to his arm. They allegedly delayed setting a follow-up appointment by three to four months.

PROCEDURAL HISTORY

Plaintiff, proceeding pro se, filed a 42 U.S.C. § 1983 action against defendants for deliberate indifference to his serious medical needs while incarcerated. Defendants moved to dismiss under Rule 12(b)(6). Medical Defendants also filed a notice of discharge and injunction based on a bankruptcy court order. Plaintiff did not respond to any motions.

DISPOSITION

dismissed

CASES CITED

- *Occupy Columbia v. Haley*, 738 F.3d 107 (4th Cir. 2013)
- *Ashcroft v. Iqbal*, 556 U.S. 662 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007)
- *E.I. du Pont de Nemours & Co. v. Kolon Indus., Inc.*, 637 F.3d 435 (4th Cir. 2011)
- *Hall v. DIRECTV, LLC*, 846 F.3d 757 (4th Cir. 2017)
- *Crosby v. City of Gastonia*, 635 F.3d 634 (4th Cir. 2011)
- *West v. Atkins*, 487 U.S. 42 (1988)
- *Jenkins v. Woodard*, 109 F.4th 242 (4th Cir. 2024)
- *Short v. Hartman*, 87 F.4th 593 (4th Cir. 2023)
- *Mays v. Sprinkle*, 992 F.3d 295 (4th Cir. 2021)
- *Pfaller v. Amonette*, 55 F.4th 436 (4th Cir. 2022)
- *Farmer v. Brennan*, 511 U.S. 825 (1994)
- *Iko v. Shreve*, 535 F.3d 225 (4th Cir. 2008)
- *Gordon v. Schilling*, 937 F.3d 348 (4th Cir. 2019)
- *DePaola v. Clarke*, 884 F.3d 481 (4th Cir. 2018)
- *Moskos v. Hardee*, 24 F.4th 289 (4th Cir. 2022)
- *Formica v. Aylor*, 739 F. App'x 745 (4th Cir. 2018)
- *Pearce v. Smith*, No. 1:20CV413 (AJT/TCB), 2022 WL 4126450 (E.D. Va. Sept. 9, 2022)
- *Green v. Newton*, No. I:14CVL257 AJT/IDD, 2015 WL 6672580 (E.D. Va. Oct. 30, 2015)
- *Edwards v. Trent*, No. 7:19CV00713, 2020 WL 4451061 (W.D. Va. Aug. 3, 2020)
- *Newbrough v. Piedmont Reg'l Jail Auth.*, 822 F. Supp. 2d 558 (E.D. Va. 2011)
- *Coppage v. Mann*, 906 F. Supp. 1025 (E.D. Va. 1995)
- *McClary v. Hopkins*, No. 3:16-CV-88-FDW, 2019 WL 1980707 (W.D.N.C. May 3, 2019)

- Wood v. Clear, No. 7:20-CV-00719, 2021 WL 4443078 (W.D. Va. Sept. 28, 2021)
- Doss on behalf of Est. of Herbert Wayne Doss v. Marshall, No. 5:25-CV-00135, 2026 WL 116291 (S.D.W. Va. Jan. 15, 2026)

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