

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA, BECKLEY DIVISION

Christopher Adam Jackson v. Officer Seth Dickens, Deputy Chief
David Allard, Chief Dean Bailey, and City of Beckley

Jackson v. Dickens · No. 5:25-cv-00534 · Decided March 2, 2026

SUMMARY

This order addresses numerous pending motions in a pro se 42 U.S.C. § 1983 action arising from alleged fabricated evidence and unlawful pretrial detention following a domestic-violence-related state-court proceeding. The court discusses, among other matters, requests for preservation and discovery, disqualification of defense counsel, protective relief, reconsideration, and motions to strike. The excerpt reflects denials of several motions as premature, unsupported, moot, or otherwise meritless.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia, Beckley Division
WRITING FOR THE COURT	Dwane L. Tinsley
JURISDICTION	United States District Court for the Southern District of West Virginia, Beckley Division
DECIDED	March 2, 2026
DOCKET	5:25-cv-00534
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se and in forma pauperis, filed a 42 U.S.C. § 1983 action and approximately twenty-two motions before initial screening and commencement of discovery. The magistrate judge adjudicated the motions under 28 U.S.C. § 636(b)(1)(A), denying the requested relief, denying one motion as moot, and ordering certain sealed submissions unsealed.
STANDARD OF REVIEW	Interlocutory reconsideration is generally warranted only for an intervening change in controlling law, newly available evidence, or clear error or manifest injustice. Motions to disqualify counsel are reviewed under the district court's discretion and require a high standard of proof. Discovery-related relief is unavailable before initial

	in forma pauperis screening, closure of the pleadings, and the commencement of discovery.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Christopher Adam Jackson v. Officer Seth Dickens, Deputy Chief David Allard, Chief Dean Bailey, City of Beckley

TOPICS

discovery dispute motion for reconsideration sanctions section 1983

PRACTICE AREAS

civil procedure civil rights constitutional law evidence

QUESTIONS PRESENTED

1. Whether discovery, preservation, subpoena, protective-order, and evidence-production relief was premature before completion of § 1915(e)(2) screening, closure of the pleadings, and commencement of discovery.
2. Whether defense counsel should be disqualified based on alleged concurrent representation, a potential advocate-witness conflict, or alleged misuse of confidential materials.
3. Whether Plaintiff established grounds under Federal Rule of Civil Procedure 54(b) to reconsider the prior denial of leave to amend and related rulings.
4. Whether Plaintiff established grounds for sealing submissions, submitting a confidential witness's identity in camera, or obtaining a protective order.
5. Whether the parties' motions to strike, sanctions motions, requests for a scheduling conference, and request for a federal criminal investigation warranted relief.

HOLDINGS

1. Discovery and related production, preservation, subpoena, and evidence-management relief is premature before the in forma pauperis action has undergone initial screening, the pleadings have closed, and the case has entered the discovery phase.
2. Plaintiff failed to establish a basis for disqualifying defense counsel because he did not show an actual concurrent conflict of interest, an attorney-client relationship that entitled him to object, or an actual or likely advocate-witness conflict.
3. A motion to reconsider an interlocutory order may not be used merely to relitigate issues, add facts that were previously available, or seek a different result from one already reached.
4. Plaintiff was not entitled to protective orders, in camera submission of a witness's identity, or sealing because he failed to establish the factual and legal prerequisites for those forms of relief.

5. A private plaintiff has no judicially cognizable interest in compelling the criminal investigation or prosecution of another person.

KEY QUOTATIONS

“Until initial screening has been completed and the pleadings closed, discovery in this matter is simply premature.” (Section II.A)

“A motion to reconsider “is not an opportunity to relitigate issues already ruled on because a litigant is displeased with the result.”” (Section II.C)

“Plaintiff is hereby NOTIFIED that filing motions requesting the same relief already sought in a pending motion is improper” (Section II.P)

FACTUAL BACKGROUND

Plaintiff alleges that Officer Seth Dickens gave false testimony during a May 16, 2025 state-court bond-revocation hearing about an inculpatory video and body-worn-camera footage. Plaintiff contends that no such inculpatory video existed, that he was detained for approximately four months, and that the state later dismissed the charges. In this federal § 1983 action, Plaintiff sought preservation and production of evidence, early discovery, disqualification of defense counsel, sealing and protective orders, sanctions, reconsideration of prior rulings, and other emergency relief.

PROCEDURAL HISTORY

Plaintiff initiated the action on September 3, 2025, arising from a state-court bond-revocation proceeding involving alleged violations of a domestic-violence protective order. The case was referred to Magistrate Judge Omar J. Aboulhosn, whose prior order was later vacated after the matter was transferred to Magistrate Judge Dwane L. Tinsley for reconsideration of the pending motions. The court denied the motions for preservation and discovery, disqualification, reconsideration, amendment-related relief, protective orders, sealing, sanctions, scheduling, investigation, and other related relief, while denying one motion to strike as moot and unsealing specified submissions.

DISPOSITION

other

CASES CITED

- Randolph v. U.S. Dep't of Just. Identity Theft Task Force, 16-cv-36, 2016 WL 112545, at *1 (D. Md. Jan. 8, 2016), *aff'd*, 643 F. App'x 250 (4th Cir. 2016)
- Nietzsche v. Williams, 490 U.S. 319, 324-328 (1989)
- Rose v. Francis, 2023 WL 6054633, at *3 (S.D.W. Va. Sept. 15, 2023)
- Shaffer v. Farm Fresh, Inc., 966 F.2d 142, 146 (4th Cir. 1992)
- Knechtges v. N.C. Dep't of Pub. Safety, 2023 WL 2469915, at *1, *3 (E.D.N.C. Feb. 22, 2023)
- United States v. Williams, 81 F.3d 1321, 1324 (4th Cir. 1996)

- Wright v. Williamsburg Area Med. Assistance Corp., 2013 WL 12184285, at *1 (E.D. Va. Apr. 9, 2013)
- Advanced Training Grp. Worldwide, Inc. v. Proactive Techs. Inc., 436 F. Supp. 3d 870, 874 (E.D. Va. 2020)
- Brittney Gobble Photography LLC v. Sinclair Broad. Grp. Inc., 2021 WL 1515857, at *1 (D. Md. Apr. 16, 2021)
- Aetna Cas. & Surety Co. v. United States, 570 F.2d 1197, 1200-01 (4th Cir. 1978)
- Moses H. Cone Mem'l Hosp. v. Mercury Constr. Co., 460 U.S. 1, 12 (1983)
- Blankenship v. Fox News Network, LLC, 510 F. Supp. 3d 356, 361 (S.D.W. Va. 2020)
- Am. Canoe Ass'n v. Murphy Farms, Inc., 326 F.3d 505, 514 (4th Cir. 2003)
- Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir. 1998)
- Hill v. McCrory, 2016 WL 4370048, at *1-2 (W.D.N.C. Aug. 12, 2016)
- U.S. ex rel. Becker v. Westinghouse Savannah River Co., 305 F.3d 284, 290 (4th Cir. 2002)
- Singletary v. Beazley Ins. Co., 2013 WL 6850147, at *2-3 (D.S.C. Dec. 30, 2013), aff'd, 585 F. App'x 177 (4th Cir. 2014)
- Courtland Co., Inc. v. Union Carbide Corp., 2021 WL 1868313, at *2 (S.D.W. Va. May 10, 2021)
- Waste Mgmt. Holdings, Inc. v. Gilmore, 252 F.3d 316, 347 (4th Cir. 2001)
- Franklin v. Bww L. Grp., LLC, 2016 WL 2756576, at *2 n.3 (D. Md. May 12, 2016)
- SEC v. Northern, 400 F. Supp. 2d 362, 364 (D. Mass. 2005)
- Audrey v. United Parcel Serv., 798 F.2d 679, 682 (4th Cir. 1986), cert. denied, 480 U.S. 934 (1987)
- White v. Francis, 2009 WL 1393383, at *2 (N.D. W. Va. May 15, 2009)
- Sattler v. Johnson, 857 F.2d 224, 226-27 (4th Cir. 1988)
- Newell v. W. Reg'l Jail, 2020 WL 5550393, at *1 (S.D.W. Va. Sept. 16, 2020)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Meeks v. McClung, 2022 WL 4352497, at *9 (S.D.W. Va. Aug. 30, 2022), report and recommendation adopted, 2022 WL 4343104 (S.D.W. Va. Sept. 19, 2022)
- Fenner v. Bell, 2009 WL 6372547, at *1 n.1 (M.D.N.C. Nov. 13, 2009), aff'd, 375 F. App'x 362 (4th Cir. 2010)
- Doyle v. Murray, 938 F.2d 33, 34 (4th Cir. 1991)
- Ballard v. Carlson, 882 F.2d 93, 95 (4th Cir. 1989)

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