

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

Christopher Lumpkin v. Daugherty

Lumpkin · No. 3:23-cv-80-HEH · Decided April 9, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia denied as moot Christopher Lumpkin’s Rule 59(e) motion concerning a prior default judgment in his 42 U.S.C. § 1983 action against Defendant Daugherty. The court also denied Lumpkin’s request to garnish the defendant, after Lumpkin confirmed that he was satisfied with the \$3,000 damages award.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	Henry E. Hudson
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	April 9, 2026
DOCKET	3:23-cv-80-HEH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to avoid dismissal and obtain an opportunity to object to the Magistrate Judge's Report and Recommendation after the court entered default judgment awarding him \$3,000. The court construed the filing as a Rule 59(e) motion, denied it as moot, and denied plaintiff's separate request for garnishment.
STANDARD OF REVIEW	A filing received within the Rule 59(e) timeframe is construed as a Rule 59(e) motion. The court denied the motion as moot after determining that plaintiff no longer sought reconsideration.
PRECEDENTIAL VALUE	Unpublished federal district court memorandum opinion; precedential status is unknown.
PARTIES	Christopher Lumpkin v. Daugherty

TOPICS

motion for reconsideration

default judgment

section 1983

damages

civil procedure

PRACTICE AREAS

civil procedure

civil rights

remedies

QUESTIONS PRESENTED

1. Whether Lumpkin's filing received within twenty-eight days of the judgment should be construed as a motion under Federal Rule of Civil Procedure 59(e).
2. Whether the Rule 59(e) motion should be denied as moot after Lumpkin stated that he was satisfied with the \$3,000 judgment.
3. Whether the court could grant Lumpkin's request to place a garnishment on Defendant Daugherty without an identified procedural vehicle authorizing that relief.

HOLDINGS

1. A filing received within the requisite Rule 59(e) period is properly construed as a Rule 59(e) motion.
2. The Rule 59(e) motion was denied as moot because Lumpkin stated that he was satisfied with the \$3,000 damages award and no longer sought reconsideration of the judgment.
3. The court denied Lumpkin's request to place a garnishment on Daugherty because Lumpkin did not identify a procedural vehicle authorizing the requested relief.

KEY QUOTATIONS

“Accordingly, the Rule 59(e) Motion (ECF No. 82) will be denied as moot.” (Conclusion)

“Lumpkin fails to identify a procedural vehicle that would authorize the Court to order the action he seeks.” (Conclusion)

FACTUAL BACKGROUND

Christopher Lumpkin, a Virginia inmate proceeding pro se, alleged under 42 U.S.C. § 1983 that former corrections officer Daugherty violated his Eighth Amendment rights by subjecting him to cruel and unusual punishment. After Daugherty defaulted, the Magistrate Judge held an evidentiary hearing and recommended \$3,000 in damages, consisting of \$2,000 in compensatory damages and \$1,000 in punitive damages. The district court adopted that recommendation and entered judgment. Lumpkin later stated that he was satisfied with the award, while also asking the court to impose a garnishment against Daugherty.

PROCEDURAL HISTORY

The Clerk entered default against Defendant Daugherty. Following an evidentiary hearing, the Magistrate Judge recommended awarding Lumpkin \$3,000 in damages, and the district court adopted the recommendation, entered default judgment, and dismissed the action on December 22, 2025. Lumpkin subsequently filed a submission construed as a Rule 59(e) motion, but after clarification stated that he was satisfied with the \$3,000

award. The court therefore denied the Rule 59(e) motion as moot and denied his request to place a garnishment on Daugherty.

DISPOSITION

other

CASES CITED

- MLC Auto., LLC v. Town of S. Pines, 532 F.3d 269, 277-78 (4th Cir. 2008)
- Dove v. CODESCO, 569 F.2d 807, 809 (4th Cir. 1978)
- Houston v. Lack, 487 U.S. 266, 276 (1988)

OPINION

CHRISTOPHER LUMPKIN v. DAUGHERTY

PER CURIAM.

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

Richmond Division

CHRISTOPHER LUMPKIN,)

Plaintiff, V. Civil Action No. 3:23C V80-HEH

DAUGHERTY,

Defendant.

MEMORANDUM OPINION

(Denying Rule 59(e) Motion as Moot) Christopher Lumpkin, a Virginia inmate proceeding pro se, brings this action under 42 U.S.C. § 1983, alleging that Defendant Daugherty, a former corrections officer at Sussex I State Prison, violated his Eighth Amendment rights by subjecting him to cruel and unusual punishment. The Clerk entered default against Defendant Daugherty on January 27, 2025. (ECF No. 50.) Lumpkin then moved for default judgment. (ECF No. 61.) The matter was referred to the Magistrate Judge for a Report and Recommendation on the Motion for Default Judgment, pursuant to 28 U.S.C. § 636(b)(1)(B), specifically to determine Lumpkin's damages and to assess whether Lumpkin properly set forth the requisite factual and legal basis for the Court's subject matter jurisdiction, personal jurisdiction, and venue. (ECF No. 49.) On October 3, 2025, the Magistrate Judge held an evidentiary hearing. On November 25, 2025, the Magistrate Judge issued a Report and Recommendation (ECF No. 78) recommending that Lumpkin had sufficiently proven his damages and recommending that the Court enter judgment for Lumpkin in the amount of \$3,000, consisting of \$2,000 in compensatory damages and \$1,000 in punitive damages. (/d. at 2.)! The Magistrate Judge advised Lumpkin that he could file objections within fourteen

(14) days after the entry of the Report and Recommendation. Because Lumpkin did not

respond, by Memorandum Opinion and Order entered on December 22, 2025, the Court adopted the Report and Recommendation (ECF No. 78), granted the Motion for Default Judgment, and awarded Lumpkin \$3,000 in damages against Defendant Daugherty. The action was then dismissed. On January 20, 2026, the Court received a submission from Lumpkin entitled, "Notice Motion and Appeal." (ECF No. 82.) In that submission, Lumpkin "ask[s] the Honorable Court to not dismiss the case because I never got the Report and Recommendation" because he was transferred. (/d. at 1.) Because Petitioner's submission was received within twenty-eight days after the entry of the December 22, 2025 Memorandum Opinion and Order,' the Court will construe this submission as a motion filed pursuant to Federal Rule of Civil Procedure 59(e) ("Rule 59(e) Motion"). See *MLC Auto., LLC v. Town of S. Pines*, 532 F.3d 269, 277-78 (4th Cir. 2008) (holding that a filing made within the requisite Rule 59(e) timeframe shall be construed as a Rule 59(e) motion (citing *Dove v. CODESCO*, 569 F.2d 807, 809 (4th Cir. 1978))). ' The Court employs the pagination assigned to the CM/ECF docketing system. The Court corrects the spelling, capitalization, and punctuation in the quotations from Lumpkin's submissions. * The envelope shows that Lumpkin mailed this letter on January 14, 2026. (ECF No. 82-1, at 1.) The Court deems it filed as of this date. *Houston v. Lack*, 487 U.S. 266, 276 (1988). However, in a subsequent letter, received on February 9, 2026, Lumpkin states: I sent a motion not to dismiss[] the civil action No. 3:23-cv-80-HEH because I never go[t] the Report and Recommendation. I [am] willing to [sic] \$3,000 in damages against the Defendant. If Court don't do that I want to appeal case. Please write back and [let me] know what Court does on this case. (ECF No. 85, at 1.) Therefore, it is not entirely clear whether Lumpkin wants the opportunity to object to the Report and Recommendation or if he is satisfied with the outcome of the case—that the Court awarded Lumpkin \$3,000 in damages against Defendant Daugherty. Accordingly, by Memorandum Order entered on March 3, 2026, the Court directed Lumpkin, within thirty (30) days of the date of entry thereof, to clearly state whether he wants the Court to re-open the case and allow him time to file objections to the Report and Recommendation OR if he is satisfied with the award of \$3,000 in damages against Defendant Daugherty. The Court explained that a failure to respond within that time would result in the denial of the Rule 59(e) Motion and the case would remain closed. See Fed. R. Civ. P. 41(b). On April 3, 2026, the Court received a response from Lumpkin. Lumpkin states: "I am writing the Court to let y'all know [I am] satisfied with the outcome of the case that the Court awarded me \$3,000 in damages against Defendant Daugherty." (ECF No. 89, at 1.) Thus, it appears that Lumpkin no longer seeks the Court to reconsider the December 22, 2025 Memorandum Opinion awarding Lumpkin \$3,000. Accordingly, the Rule 59(e) Motion (ECF No. 82) will be denied as moot. Lumpkin also "ask[s] the] Court to put a garnishment on Defendant Daugherty the Court can get her social security and other info from Virginia Department of Corrections where she use to work." (ECF No. 89, at 1.) Lumpkin fails to identify a procedural vehicle that would authorize the Court to order the action he seeks. Accordingly, Lumpkin's request to "put a garnishment on Defendant Daugherty" (ECF No. 89) will be denied. An

appropriate Final Order shall accompany this Memorandum Opinion. AM\n AM Henry E. Hudson
Date: Apel 4 2026 Senior United States District Court Richmond, Virginia

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