

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

Brandy Hood-Cook v. SWVRJA-Duffield Facility, et al.

Hood-Cook · No. 7:24-cv-00862 · Decided April 27, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismisses Brandy Hood-Cook’s 42 U.S.C. § 1983 action against the Southwest Virginia Regional Jail Authority’s Duffield Facility and its Records Department. The court holds that the jail is not a suable person under § 1983 and that claims challenging sentence calculation and release eligibility must be pursued through habeas corpus rather than a civil rights action.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Robert S. Ballou
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	April 27, 2026
DOCKET	7:24-cv-00862
DISPOSITION	dismissed
PROCEDURAL POSTURE	A Virginia inmate proceeding pro se brought a civil-rights action under 42 U.S.C. § 1983. The district court conducted the required prisoner screening and summarily dismissed the action without prejudice under 28 U.S.C. § 1915A(b)(1) for failure to state a claim.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A(b)(1), the court must dismiss a prisoner's action against a governmental entity or officer if the action is frivolous, malicious, or fails to state a claim upon which relief may be granted. The complaint must contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion
PARTIES	Brandy Hood-Cook v. SWVRJA-Duffield Facility, Duffield's Records Department, et al.

TOPICS

section 1983

prisoners rights

federal habeas corpus

pleadings

civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

habeas corpus

federal civil procedure

QUESTIONS PRESENTED

1. Whether a local jail facility is a person subject to suit under 42 U.S.C. § 1983.
2. Whether a prisoner's challenge to the calculation of her sentence and release date may be brought under § 1983 rather than through habeas corpus.
3. Whether the complaint stated a claim upon which relief could be granted under the screening standard of 28 U.S.C. § 1915A(b)(1).

HOLDINGS

1. A local jail facility is not a person subject to suit under § 1983 and lacks capacity to be sued as a jail. Hood-Cook's lockdown-policy claim therefore failed because it was asserted against the Duffield Facility.
2. A claim challenging the calculation of a sentence or the date of release must be brought in habeas corpus rather than under § 1983 because § 1983 is not the proper vehicle to challenge the fact or duration of confinement.
3. The complaint failed to state a claim upon which relief could be granted and was subject to summary dismissal without prejudice under 28 U.S.C. § 1915A(b)(1).

KEY QUOTATIONS

“The Supreme Court held in Preiser v. Rodriguez that the remedy to an inmate raising a sentence-calculation or max-out claim lies in habeas corpus and not in a civil rights § 1983 action.”

“Accordingly, Hood-Cook’s claim regarding the calculation of her sentence and release date fails.”

FACTUAL BACKGROUND

Brandy Hood-Cook, a Virginia inmate, alleged that she had already served her sentence but had not received a release date. She also alleged that the Duffield Facility was on lockdown for approximately 20 hours per day, causing extreme stress and depression. She sought an order ending the lockdown, an order requiring calculation of her sentence, release from incarceration, and damages.

PROCEDURAL HISTORY

Hood-Cook filed a § 1983 complaint against the Southwest Virginia Regional Jail Authority's Duffield Facility and its Records Department. She alleged that she had served her sentence without receiving a release date and challenged the facility's lockdown conditions. The district court dismissed the action without prejudice at the screening stage and stated that an appropriate order accompanied the memorandum opinion.

DISPOSITION

dismissed

CASES CITED

- Doe v. Rosa, 795 F.3d 429, 436 (4th Cir. 2015)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- McCoy v. Chesapeake Corr. Ctr., 788 F. Supp. 890, 894 (E.D. Va. 1992)
- Preiser v. Rodriguez, 411 U.S. 475, 489 (1973)
- Heck v. Humphrey, 512 U.S. 477, 481 (1991)

OPINION

Hood-Cook

PER CURIAM.

"ATROANOKE, VA

FILED

April 27, 2026

IN THE UNITED STATES DISTRICT COURT LAURA A, AUSTIN, CLERK

FOR THE WESTERN DISTRICT OF VIRGINIA By: /s/ M. Poff

ROANOKE DIVISION DEPUTY CLERK

BRANDY HOOD-COOK,)

Plaintiff,)) V.) Civil Action No. 7:24-cv-00862)

SWVRJA-DUFFIELD)

FACILITY, et al.,) By: Robert S. Ballou Defendants.) United States District Judge

MEMORANDUM OPINION

Plaintiff Brandy Hood-Cook, a Virginia inmate proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Hood-Cook names the Southwest Virginia Regional Jail Authority's Duffield Facility (Duffield) and Duffield's Records Department as defendants. This action will be summarily dismissed pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim. "Section 1983 imposes liability on state actors who cause the 'deprivation of any rights, privileges, or immunities secured by the Constitution.'" Doe v. Rosa, 795 F.3d 429, 436 (4th Cir. 2015). However, the court must dismiss any action filed by a prisoner against a governmental entity or officer if the court determines the claims are frivolous, malicious, or fail to state a claim upon which relief may be granted. 28 U.S.C. § 1915A(b)(1). The plaintiff's "[f]actual allegations must be enough to raise a right to relief above the speculative level," to one that is "plausible on its face," rather than merely "conceivable." Be// Atl. Corp v. Twombly, 550 U.S. 544, 555, 570 (2007).

Hood-Cook principally alleges that she has already served her sentence and "should [have] already

been released” but has not received a release date. Dkt. No. 1, at 2. She further alleges that Duffield is on lockdown for 20 hours per day which has caused her “extreme amounts of stress [and] depression[.]” Id. In terms of relief, Hood-Cook requests (i) an order requiring Duffield to “remove” its lockdown, (ii) an order requiring Duffield’s Records Department to “get in touch with [the Department of Corrections] and get [her] time calculated ASAP,” (iii) her release from incarceration, and (iv) \$8,000 in damages for “pain and suffering[.]” Id. at 3. Hood-Cook cannot prevail in a § 1983 claim against Duffield. A local jail facility cannot qualify as a person subject to suit under § 1983. *McCoy v. Chesapeake Corr. Ctr.*, 788 F. Supp. 890, 894 (E.D. Va. 1992) (“[T]he jail is not a person under § 1983” and thus “lacks the capacity to be sued as a jail.”). Because Hood-Cook’s claim regarding Duffield’s lockdown policy is asserted against the jail, the claim fails. Otherwise, Hood-Cook complains that she has already served her sentence but has not received a release date. The Supreme Court held in *Preiser v. Rodriguez* that the remedy to an inmate raising a sentence-calculation or max-out claim lies in habeas corpus and not in a civil rights § 1983 action. 411 U.S. 475, 489 (1973). That is, § 1983 is not the proper vehicle to challenge the fact or duration of confinement. See *Heck v. Humphrey*, 512 U.S. 477, 481 (1991). Accordingly, Hood-Cook’s claim regarding the calculation of her sentence and release date fails. For these reasons, I will dismiss this action without prejudice under 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted. An appropriate order accompanies this memorandum opinion. Enter: April 24, 2026 //s/ Robert S. Ballou Robert S. Ballou United States District Judge