

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

Daquante Seider Crute v. Keen Mountain Correctional Center

Crute · No. 7:26-cv-00135 · Decided May 7, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismissed Daquante Seider Crute’s pro se 42 U.S.C. § 1983 action during screening under 28 U.S.C. § 1915A. The court held that Keen Mountain Correctional Center is not a person subject to suit under § 1983 and that the complaint therefore failed to state a claim.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Elizabeth K. Dillon
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	May 7, 2026
DOCKET	7:26-cv-00135
DISPOSITION	dismissed
PROCEDURAL POSTURE	Initial screening of a pro se prisoner civil-rights complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	The court reviewed the complaint under the screening standard of 28 U.S.C. § 1915A, accepting dismissal where the complaint is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Daquante Seider Crute v. Keen Mountain Correctional Center

TOPICS

- section 1983
- prisoners rights
- civil procedure
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint stated a claim under 42 U.S.C. § 1983 against Keen Mountain Correctional Center.
2. Whether the complaint should be dismissed during mandatory prisoner screening under 28 U.S.C. § 1915A.

HOLDINGS

1. Keen Mountain Correctional Center is not a person subject to suit under 42 U.S.C. § 1983.
2. The complaint must be dismissed for failure to state a claim under 28 U.S.C. § 1915A.

KEY QUOTATIONS

“However, Crute does not identify these people or name them as defendants in this action.”

“The only defendant named by Crute is Keen Mountain Correctional Center, which is not a “person” subject to suit pursuant to § 1983.”

FACTUAL BACKGROUND

Crute alleged that, after leaving the restrictive housing unit, he went approximately six weeks without blankets, sheets, towels, rags, or a pillow. He stated that he wrote and spoke to the unit manager and building lieutenant but received no results. He did not identify or name those individuals as defendants; the only named defendant was Keen Mountain Correctional Center.

PROCEDURAL HISTORY

Crute, a Virginia inmate proceeding pro se, filed an action under 42 U.S.C. § 1983 alleging that he lacked basic bedding and linens after leaving restrictive housing. The district court conducted the required prisoner-complaint screening and dismissed the action for failure to state a claim because the sole named defendant, Keen Mountain Correctional Center, is not a person subject to suit under § 1983.

DISPOSITION

dismissed

CASES CITED

- Hall v. Hopkins, Civil Action No. 7:10-cv-00393, 2010 WL 5055695, at *2 (W.D. Va. Dec. 3, 2010)
- Will v. Mich. Dep’t of State Police, 491 U.S. 58 (1989)

OPINION

_ ATHARRISONBURG. VA □ FILED May 07, 2026 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA LAURA A. AUSTIN, CLERE ROANOKE DIVISION BY: S/J.Vasquez DEPUTY CLERK DAQUANTE SEIDER CRUTE,) Plaintiff,) Civil Action Nos. 7:26-cv-00135) Vv.)) By: Elizabeth K. Dillon KEEN MOUNTAIN CORRECTIONAL) Chief United States District Judge CENTER,) Defendant.) MEMORANDUM OPINION Plaintiff Daquante Seider Crute, a Virginia inmate proceeding pro se, has filed this civil rights action pursuant to 42 U.S.C. § 1983.

(Dkt. No. 1.) This matter is before the court for review pursuant to 28 U.S.C. § 1915A. For the reasons stated below, the court concludes that Crute has failed to state a claim for which relief can be granted, and his claims must be dismissed. Pursuant to 28 U.S.C. § 1915A(a), the court must conduct an initial review of a “complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.” A complaint is subject to dismissal if it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. § 1915A(b)(1), (2); see also 28 U.S.C. § 1915(e)(2) (requiring court, in a case where plaintiff is proceeding in forma pauperis, to dismiss the case if it is frivolous or fails to state a claim on which relief may be granted).

Crute alleges that he “came from Restrictive Housing unit approximately 6 weeks without any blankets, sheets, towels, rags or a pillow.” (Compl. 2.) Crute alleges further that he “wrote and spoke to the unit manager and building Lt getting no results.” Ud.)

However, Crute does not identify these people or name them as defendants in this action. The only defendant named by Crute is Keen Mountain Correctional Center, which is not a “person” subject to suit pursuant to § 1983. See *Hall v. Hopkins*, Civil Action No. 7:10-cv-00393, 2010 WL 5055695, at *2 (W.D. Va. Dec. 3, 2010) (citing *Will v. Mich. Dep’t of State Police*, 491 U.S. 58 (1989)).

Accordingly, plaintiff’s complaint must be dismissed for failure to state a claim. Based on the foregoing, the court will issue an appropriate order dismissing this action for failure to state a claim. Entered: May 7, 2026. /s/ Elizabeth K. Dillon Elizabeth K. Dillon Chief United States District Judge