

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

Marquan D. Williams v. Albemarle Charlottesville Regional Jail

Williams v. Albemarle Charlottesville Regional Jail · No. 7:25-cv-00687 · Decided January 5, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismissed Marquan D. Williams’s 42 U.S.C. § 1983 action against the Albemarle Charlottesville Regional Jail. The court held that the jail is not a “person” subject to suit under § 1983 and dismissed the action for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii), after Williams failed to file an amended complaint naming a proper defendant.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Thomas T. Cullen
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	January 5, 2026
DOCKET	7:25-cv-00687
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action under 42 U.S.C. § 1983. After the court advised him that the jail was not a proper defendant and directed him to amend, he failed to file an amended complaint. The court dismissed the action for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).
STANDARD OF REVIEW	The court reviewed the operative complaint for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).
PRECEDENTIAL VALUE	unknown
PARTIES	Marquan D. Williams v. Albemarle Charlottesville Regional Jail

TOPICS

- section 1983
- prisoners rights
- eleventh amendment immunity
- motions to dismiss
- civil procedure

PRACTICE AREAS

civil rights

prisoner civil rights

federal civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the Albemarle Charlottesville Regional Jail is a person subject to suit under 42 U.S.C. § 1983.
2. Whether the complaint should be dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) after the plaintiff failed to amend as ordered.
3. Whether the jail is entitled to Eleventh Amendment immunity as an arm of the Commonwealth of Virginia.

HOLDINGS

1. A jail is not a person subject to suit under 42 U.S.C. § 1983.
2. The action must be dismissed for failure to state a claim because the operative complaint names only a non-suable jail as defendant and plaintiff failed to amend after being given an opportunity and warning.
3. The jail is an arm of the Commonwealth of Virginia entitled to Eleventh Amendment immunity.

KEY QUOTATIONS

“The Jail is not a ‘person’ for purposes of § 1983, and is an arm of the Commonwealth of Virginia entitled to Eleventh Amendment immunity.”

“Accordingly, the court will grant Plaintiff’s request to proceed in forma pauperis and dismiss this case for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).”

FACTUAL BACKGROUND

Williams filed a § 1983 complaint against the Albemarle Charlottesville Regional Jail. The court advised him that a jail is not a person subject to suit under § 1983 and directed him to amend the complaint to name an appropriate person defendant. Williams did not amend within the 30-day period.

PROCEDURAL HISTORY

Williams filed the complaint on September 26, 2025, naming the Albemarle Charlottesville Regional Jail as the defendant. The court conditionally filed the complaint, then ordered Williams to file an amended complaint naming a proper person defendant and describing the alleged constitutional violations. After more than 30 days elapsed without an amended complaint, the court reviewed the original complaint and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- *Perdue v. Penalosa*, No. 93-6313, 1994 WL 559140, at *1 (4th Cir. Oct. 13, 1994)

- Will v. Michigan Department of State Police, 491 U.S. 58, 71 (1989)

OPINION

ULERNO UPPiur U.o. Viol. COUKL AT ROANOKE, VA FILED January 05, 2026 IN THE UNITED STATES DISTRICT COURT paupa a AUSTIN CLERK FOR THE WESTERN DISTRICT OF VIRGINIA ay. ROANOKE DIVISION st Beeson □ □ MARQUAN D. WILLIAMS,) } Plaintiff,) Case No. 7:25-cv-00687) v.) MEMORANDUM OPINION } ALBEMARLE CHARLOTTESVILLE _) By: | Hon. Thomas T. Cullen REGIONAL JAIL,) United States District Judge) Defendant.) On September 26, 2025, Plaintiff Marquan D, Williams filed a complaint under 42 U.S.C. § 1983 against the Albemarle Charlottesville Regional Jail.

(See ECF No. 1.) The court conditionally filed the complaint but subsequently advised Plaintiff that his complaint had not named a proper defendant. Specifically, in its November 19, 2025 Order, the court informed Plaintiff “that his complaint fails to state a claim under § 1983 against Defendant” because “[a] jail is not a ‘person’ subject to suit under § 1983.” (Order 9 2, Nov.

19, 2025 [ECF No. 5] (citing *Perdue v. Penalosa*, No. 93-6313, 1994 WL 559140, at *1 (4th Cir. Oct. 13, 1994).) Plaintiff was directed to file an amended complaint within 30 days “naming any person he intends to bring this action against and specifically describing how each person identified violated his federal rights.” ([d.]

Moreover, Plaintiff was expressly warned that “failure to file an amended complaint correcting the identified deficiencies within 30 days of this date of this order will result in dismissal of this action.” Ud.) More than 30 days have elapsed and Plaintiff has not complied with the court’s order. Upon review of the original—and therefore operative—complaint, Plaintiff has failed to state a claim against the named defendant because, as Plaintiff was advised, “[t]he Jail is not a ‘person’ for purposes of § 1983, and is an arm of the Commonwealth of Virginia entitled to Eleventh Amendment immunity.” *Perdue*, 1994 WL 559140, at *1 (citing *Will v. Michigan Dep’t of State Police*, 491 U.S. 58, 71 (1989)).

Accordingly, the court will grant Plaintiff’s request to proceed in forma pauperis¹ and dismiss this case for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii). The Clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Plaintiff. ENTERED this 2nd day of January, 2026. /s/ Thomas T. Cullen_____ HON. THOMAS T. CULLEN UNITED STATES DISTRICT JUDGE 1 The court advised Plaintiff to submit a signed Consent to Fee form “in order to complete an application to proceed” in forma pauperis under 28 U.S.C. § 1915.

(Order ¶ 3, Sept. 30, 2025 [ECF No. 3].) That signed form was received by the court on October 17, 2025. (ECF No. 4.)

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