

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

Demmerick E. Brown v. Karen Stapleton, et al.

Brown v. Stapleton · No. 7:22cv00349 · Decided January 14, 2026

SUMMARY

The United States District Court for the Western District of Virginia considers cross-motions for summary judgment in a prisoner’s 42 U.S.C. § 1983 action concerning a \$7 disciplinary fine and alleged due process violations. The court holds that any denial of an opportunity to present witnesses or evidence was harmless and that the defendants were entitled to qualified immunity because the asserted constitutional right was not clearly established in 2020. The court grants the defendants’ motion for summary judgment and denies Brown’s motion.

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, Roanoke Division
DECIDED	January 14, 2026
DOCKET	7:22cv00349
DISPOSITION	other
PROCEDURAL POSTURE	Following remand from the United States Court of Appeals for the Fourth Circuit, defendants moved for summary judgment and plaintiff moved for summary judgment in a 42 U.S.C. § 1983 procedural due process action arising from a prison disciplinary fine.
STANDARD OF REVIEW	Summary judgment is proper under Federal Rule of Civil Procedure 56 when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court must draw reasonable inferences for the nonmovant and may not resolve credibility or weigh evidence. Procedural due process errors in prison disciplinary proceedings are reviewed for harmless error.
PRECEDENTIAL VALUE	Unknown

PARTIES

Demmerick E. Brown v. Karen Stapleton, et al.

TOPICS

section 1983

prisoners rights

procedural due process

qualified immunity

summary judgment

PRACTICE AREAS

Civil rights

Constitutional law

Prisoner litigation

Federal civil procedure

QUESTIONS PRESENTED

1. What procedural protections were due before Brown could be deprived of \$7 from his inmate trust account in a prison disciplinary proceeding?
2. Whether any failure to provide Brown an opportunity to present witnesses or documentary, audio, or video evidence was harmless.
3. Whether defendants were entitled to qualified immunity because the asserted due process right was not clearly established in August 2020.
4. Whether Brown was entitled to summary judgment on his § 1983 claims.

HOLDINGS

1. The Due Process Clause does not require an inmate to cross-examine an accuser or receive an appellate review of a prison disciplinary decision.
2. A procedural due process error in a prison disciplinary hearing is harmless when the excluded evidence would not have helped the inmate's defense or affected the outcome.
3. Defendants were entitled to qualified immunity because, in August 2020, it was not clearly established that the Constitution required the asserted procedures before imposing a small disciplinary fine deducted from an inmate trust account.
4. Brown was not entitled to summary judgment because his unverified and conclusory allegations did not constitute admissible evidence establishing a constitutional violation or eliminating genuine factual disputes.

KEY QUOTATIONS

“The opportunity to call witnesses and present documentary evidence, provided that no threat to institutional safety or correctional goals is created by permitting the opportunity” (Wolff, 418 U.S. at 563-69)

“Because I find that violation of Brown’s due process rights, if any such violation occurred, was harmless as a matter of law, I will grant the defendants’ Motion for Summary Judgment.” (Conclusion)

FACTUAL BACKGROUND

Brown, a Virginia inmate, was charged with violating a posted prison rule requiring inmates to wear masks whenever outside their cells after removing his mask in a prison barber shop. At the disciplinary hearing, Brown

pleaded not guilty and sought witness and documentary evidence, but the hearing officer found him guilty based on the disciplinary report and Brown's admission that he removed the mask to be shaved, imposing a \$7 fine deducted from his inmate trust account. Brown alleged that he was denied forms needed to request witnesses and evidence and was unable to appeal, while defendants submitted evidence disputing those allegations.

PROCEDURAL HISTORY

The district court previously granted defendants' motion to dismiss, holding that the \$7 fine did not deprive Brown of a constitutionally recognized property or liberty interest. The Fourth Circuit reversed and remanded after recognizing a protected property interest in money held in an inmate trust account, directing the district court to determine what process was due and whether any procedural violation was harmless. On remand, the district court granted defendants' motion for summary judgment based on harmless error and qualified immunity and denied Brown's motion for summary judgment.

DISPOSITION

other

CASES CITED

- Henderson v. Harmon, 102 F.4th 242, 248 (4th Cir. 2024)
- Brown v. Stapleton, 142 F.4th 252, 254 n.2, 257, 259 (4th Cir. 2025)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Williams v. Griffin, 952 F.2d 820, 823 (4th Cir. 1991)
- Celotex Corp. v. Catrett, 477 U.S. 317 (1986)
- Alexander v. Connor, 105 F.4th 174, 178-79 (4th Cir. 2024)
- Wolff v. McDonnell, 418 U.S. 539, 556-69 (1974)
- Mathews v. Eldridge, 424 U.S. 319, 333-35 (1976)
- Rogers v. Brinkley, No. C A 806-1278MBS, 2007 WL 789929, at *2 (D.S.C. Mar. 14, 2007), aff'd, 231 F. App'x 280 (4th Cir. 2007)
- Goodman v. Diggs, 986 F.3d 493, 498-99 (4th Cir. 2021)
- Lennear v. Wilson, 937 F.3d 257, 276 (4th Cir. 2019)
- Mays v. Sprinkle, 992 F.3d 295, 301 (4th Cir. 2021)
- Atkinson v. Godfrey, 100 F.4th 498, 505 (4th Cir. 2024)
- Burks v. Pate, 119 F. App'x 447, 450 (4th Cir. 2005) (per curiam)
- Collins v. Pond Creek Mining Co., 468 F.3d 213, 219 (4th Cir. 2006)
- Bowling v. Clarke, No. 7:19cv00453, 2020 WL 4340944, at *5 (W.D. Va. July 28, 2020)
- Riddick v. Kegley, No. 7:20cv00562, 2023 WL 2326858, at *5 (W.D. Va. Mar. 2, 2023)
- Roscoe v. Mullins, No. 7:18cv00132, 2019 WL 4280057, at *3 (W.D. Va. Sept. 10, 2019)
- Carter v. White, No. 7:21cv00484, 2023 WL 3871719 (W.D. Va. Sept. 10, 2019)
- Sandin v. Conner, 515 U.S. 472, 484 (1995)

- Prieto v. Clarke, 780 F.3d 245, 248 (4th Cir. 2015)
- Jackson v. Sampson, 536 F. App'x 356, 357 (4th Cir. 2013)
- Austin v. Paramount Parks, Inc., 195 F.3d 715, 727 (4th Cir. 1999)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Gaston v. Taylor, 946 F.2d 340, 342 (4th Cir. 1991)
- Cheek v. United States, 498 U.S. 192, 199 (1991)

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