

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WAYNE ANTHONY RILEY,	:	
	:	
Plaintiff,	:	Civil Action No.: 07-1849 (RMU)
	:	
v.	:	
	:	
DC JAIL <i>et al.</i> ,	:	
	:	
Defendants.	:	

MEMORANDUM OPINION

In this prisoner action brought under 42 U.S.C. § 1983, plaintiff sues the District of Columbia Department of Corrections for “great pain” he suffered in April 2007 while being escorted to court by Officer Goode, who is not named as a party-defendant. Compl. at 6, 8-9. Plaintiff seeks \$57 million in damages, but the Department of Corrections may not be sued in its own name and plaintiff has not pleaded a basis for liability against the District of Columbia. *See Atchinson v. District of Columbia*, 73 F.3d 418, 420 (D.C. Cir. 1996) (*citing Monell v. Dep’t of Social Services of the City of New York*, 436 U.S. 658, 690-91 (1978)) (a municipality may be liable as a person under section 1983 only if the alleged wrongdoing resulted from an unconstitutional policy, practice or custom promulgated or sanctioned by the municipality). The court therefore must dismiss the complaint. *See* 28 U.S.C. § 1915A (requiring the court to review a prisoner complaint “as soon as practicable after docketing” and to dismiss it upon a determination that the complaint fails to state a claim upon which relief may be granted).

An order consistent with this memorandum opinion is separately and contemporaneously issued this 24th day of January 2008.

RICARDO M. URBINA
United States District Judge