



complaint. *See Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (“The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.”) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

Furthermore, even when considered, the claims initially alleged by Plaintiff (ECF No. 1), are not sufficient to proceed beyond the Court’s preliminary review required by 28 U.S.C. § 1915A(a). The sole defendant, Baldwin State Prison, is not a legal entity that may be sued under § 1983, *see Ga. Insurers Insolvency Pool v. Elbert Cnty.*, 258 Ga. 317, 318, 368 S.E.2d 500 (1988); *see also Brinson v. Coastal State Prison*, 2009 WL 890574 at \*2 (S.D. Ga. Apr.1, 2009); and Plaintiff’s pleading does not otherwise identify or causally link any individual state actor to the alleged violations of his constitutional rights as is necessary to state a claim under § 1983. *See Douglas v. Yates*, 535 F.3d 1316, 1322 (11th Cir. 2008) (complaint properly dismissed if it fails to allege fact that connect any defendant with the alleged violation). The only individual mentioned in the pleading is “Unit Manager Warren,” who was apparently “unprofessional” on one occasion verbally assaulted Plaintiff by “jumping in his face.” Unit Manager Warren is not a party to this action; and even if she was, such allegations do not support a constitutional claim. *See Edwards v. Gilbert*, 867 F.2d 1271, 1274 n. 1 (11th Cir.1989) (“a [plaintiff] must allege more than that he has been subjected to verbal taunts . . . in order to make a claim that jailers have . . . deprived the petitioner of his constitutional rights.”).

For these reasons – and because it does not appear that the relevant two-year statute of limitations will bar the re-filing of Plaintiff’s claims – his complaint is hereby

**DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b) and Fed. R.  
Civ. P. 41(b).

**SO ORDERED** this 13th day of July, 2016

S/ C. Ashley Royal  
C. ASHLEY ROYAL, JUDGE  
UNITED STATES DISTRICT COURT