

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Danny R. Richards v. Ind. Dept. of Corrs., et al.

Richards · No. 3:25-CV-517-GSL-JEM · Decided March 13, 2026

SUMMARY

The court deferred ruling on Danny R. Richards’s motion for a preliminary injunction seeking restroom access accommodations and a gastroenterology consultation while incarcerated. The court found that additional information was needed regarding the effectiveness of the defendants’ restroom-access accommodation and the medical reasons for denying or not addressing Richards’s requests. The court denied requests for Neurontin, a disability designation, and an inference regarding inadequate medical treatment, and set deadlines for supplemental responses and a reply.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Gretchen S. Lund
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 13, 2026
DOCKET	3:25-CV-517-GSL-JEM
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner proceeding without counsel moved for a preliminary injunction seeking disability accommodations, restroom access during recreation, a gastroenterology consultation, and medical treatment. The court deferred ruling on the preliminary-injunction motion pending additional factual and medical information and denied a separate motion asking the court to infer inadequate medical treatment from the defendants' briefing.
STANDARD OF REVIEW	Preliminary-injunction standard requiring the movant to show some likelihood of success on the merits, no adequate remedy at law, and irreparable harm; if those threshold factors are met, the court balances the parties' harms and considers the public interest. The injunction decision rests within the district court's sound discretion.

PRECEDENTIAL VALUE	Unknown; interlocutory district-court opinion and order
PARTIES	Danny R. Richards v. Indiana Department of Corrections, Warden of the Indiana State Prison, Centurion, Dr. Nancy Marthakis

TOPICS

injunctions ada / disability prisoners rights civil rights health law

PRACTICE AREAS

Civil rights Prisoner litigation Disability discrimination Prison medical care Preliminary injunctions

QUESTIONS PRESENTED

1. Whether Richards was entitled at this stage to a preliminary injunction requiring defendants to keep his cell door open or otherwise provide restroom access during recreation under the ADA and Rehabilitation Act.
2. Whether Richards was entitled at this stage to a preliminary injunction requiring an immediate gastroenterology consultation under the Eighth Amendment.
3. Whether Richards was entitled to an order requiring Centurion and the Indiana Department of Corrections to designate him as disabled.
4. Whether the court should infer from defendants' preliminary-injunction briefing that Richards was not receiving treatment for all of his serious medical needs.

HOLDINGS

1. The court did not decide whether the defendants' proposed accommodation was legally reasonable because the record lacked sufficient information about how often Richards needed restroom access and how often staff refused or delayed requests to unlock his cell door. The court deferred ruling and ordered additional factual submissions.
2. The court deferred ruling on Richards's request for a gastroenterology consultation because, although his showing did not establish a constitutional entitlement to that consultation, his allegations suggested possible deliberate indifference and the defendants had not provided medical reasons for refusing or failing to address his requests.
3. Richards was not entitled to a preliminary injunction requiring medical staff to place him back on Neurontin because he provided insufficient facts showing a serious medical need, deliberate indifference, or irreparable harm.
4. Richards was not entitled to a preliminary injunction requiring Centurion and the Indiana Department of Corrections to designate him as disabled because the requested designation did not appear to arise from the claims in this case and, standing alone, did not constitute medical treatment or an ADA/Rehabilitation Act accommodation.

KEY QUOTATIONS

“A preliminary injunction is an extraordinary remedy never awarded as of right.”

“It seems fair to say that a prisoner cannot meaningfully participate in recreation in soiled diapers and that an accommodation that contemplates frequent incidents of soiled diapers during the time intended for recreational activity is not a reasonable one.”

“While the court understands that the parties may not have formally recorded every relevant incident, the court is entirely unable to discern the likelihood of relevant incidents on this record.”

FACTUAL BACKGROUND

Richards has a history of *C. difficile* infection, total colectomy, extensive rectal and intestinal surgery, and creation of a J-pouch. He alleges chronic diarrhea, urinary incontinence, frequent urination and bowel movements, and leakage. Because protective-custody cell doors remain locked during recreation and the recreation areas lack immediate restroom access, he alleges that he has repeatedly soiled himself or stopped participating in recreation. He also alleges that medical staff refused to address his concerns about recurrent *C. difficile*, pouchitis, and the condition of his J-pouch or refer him to a gastroenterologist.

PROCEDURAL HISTORY

Richards brought claims under Title II of the Americans with Disabilities Act, the Rehabilitation Act, and the Eighth Amendment. He moved for a preliminary injunction after alleging that locked cell doors prevented timely restroom access during recreation and that medical staff refused or failed to address concerns about his J-pouch and related symptoms. Defendants responded that alternative restroom access was available and relied on the absence of supporting medical requests or records. The court deferred the injunction ruling, ordered supplemental submissions from both sides, and denied Richards's motion for an inference.

DISPOSITION

other

CASES CITED

- Cassell v. Snyders, 990 F.3d 539, 544-45 (7th Cir. 2021)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 24 (2008)
- Weinberger v. Romero-Barcelo, 456 U.S. 305, 312 (1982)
- Lynch, Inc. v. SamataMason, Inc., 279 F.3d 487, 489 (7th Cir. 2002)
- Steffen v. Donahoe, 680 F.3d 738, 743 (7th Cir. 2012)
- Pennsylvania Department of Corrections v. Yeskey, 524 U.S. 206, 210 (1998)
- Jaros v. Illinois Department of Corrections, 684 F.3d 667, 671-72 (7th Cir. 2012)
- Wagoner v. Lemmon, 778 F.3d 586, 592 (7th Cir. 2015)
- Thomas v. Blackard, 2 F.4th 716, 722 (7th Cir. 2021)

- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Stockton v. Milwaukee County, 44 F.4th 605, 615 (7th Cir. 2022)
- Jackson v. Kotter, 541 F.3d 688, 697-98 (7th Cir. 2008)
- Walker v. Wexford Health Sources, Inc., 940 F.3d 954, 965 (7th Cir. 2019)
- Forbes v. Edgar, 112 F.3d 262, 267 (7th Cir. 1997)

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