

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Gregory Ivory Stamps v. Thomas J. Dart, Priscilla Ware, Kevin
Kuca, Thomas Hogan, Velinda Llorens, and Cook County, Illinois

Stamps v. Dart, No. 23 C 4762 (N.D. Ill. Dec. 16 2025) · No. No. 23 C 4762 · Decided December 16, 2025

SUMMARY

The United States District Court for the Northern District of Illinois granted Defendants’ motion to dismiss Gregory Stamps’s claims arising from alleged deliberate indifference to a serious medical condition and related Monell liability. The court held that the claims against the individual defendants were barred by Illinois’s two-year statute of limitations because the amended complaints did not relate back and equitable tolling did not apply. The court also dismissed the Monell claim because there was no viable underlying constitutional violation.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Jorge L. Alonso
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	December 16, 2025
DOCKET	No. 23 C 4762
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the fourth amended complaint alleging deliberate indifference to serious medical needs under 42 U.S.C. § 1983 and a municipal Monell claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true, draws reasonable inferences in the plaintiff’s favor, and asks whether the complaint contains sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	unknown

PARTIES

Gregory Ivory Stamps v. Thomas J. Dart, Priscilla Ware, Kevin Kuca,
Thomas Hogan, Velinda Llorens, Cook County, Illinois

TOPICS

motions to dismiss

statute of limitations

section 1983

civil rights

civil procedure

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

statute of limitations

municipal liability

QUESTIONS PRESENTED

1. Whether Stamps's deliberate-indifference claims against Kuca, Hogan, and Llorens were barred by Illinois's two-year statute of limitations.
2. Whether the amended complaint naming the previously unknown defendants related back to the original complaint under Federal Rule of Civil Procedure 15(c)(1)(A), Illinois Code of Civil Procedure § 2-616(d), or Federal Rule of Civil Procedure 15(c)(1)(C).
3. Whether equitable tolling preserved Stamps's untimely deliberate-indifference claims.
4. Whether Stamps stated a Monell claim against Dart, Ware, and Cook County when the underlying employee claims were dismissed as time barred.

HOLDINGS

1. The deliberate-indifference claims accrued on January 4, 2023 and were subject to Illinois's two-year statute of limitations, which expired on January 4, 2025. Because Stamps did not name Kuca, Hogan, or Llorens until June 2025, the claims were untimely unless preserved by relation back or equitable tolling.
2. The amended complaints did not relate back to the original complaint under the applicable federal or Illinois relation-back standards because identifying previously unknown John Doe defendants is not a qualifying mistake concerning the proper party's identity.
3. Equitable tolling did not apply because Stamps failed to show that she could not learn the defendants' identities through due diligence.
4. The Monell claim was properly dismissed because, after dismissal of the time-barred claims against Kuca, Hogan, and Llorens, Stamps could not establish an underlying constitutional violation by a municipal employee.

KEY QUOTATIONS

“that the definition of ‘mistake’ under Rule 15(c)(1)(C)(ii) does not extend to a John Doe scenario”
(Discussion, 1.A)

“A “municipality cannot be liable under Monell when there is no underlying constitutional violation by a municipal employee.”” (Discussion, 2)

FACTUAL BACKGROUND

On January 4, 2023, Gregory Stamps was a pretrial detainee at the Cook County Department of Corrections when she fell from a top bunk while attempting to climb down without access to a ladder. Correctional officers Kevin Kuca and Thomas Hogan allegedly learned that Stamps had broken her leg but provided no assistance or medical help, and Nurse Velinda Llorens later examined the leg, agreed it was broken, and likewise provided no assistance. Stamps was taken for medical evaluation approximately six hours after the fall, and the fracture was confirmed.

PROCEDURAL HISTORY

Stamps initially sued Thomas J. Dart in July 2023 and later filed amended complaints naming John Doe defendants and an unidentified nurse. After discovery-related subpoenas and a motion to compel identified Velinda Llorens, Kevin Kuca, and Thomas Hogan, Stamps filed a fourth amended complaint on June 23, 2025. Defendants moved to dismiss, arguing that the individual deliberate-indifference claims were untimely and that the Monell claim lacked an underlying constitutional violation. The district court granted the motion and terminated the civil case.

DISPOSITION

dismissed

CASES CITED

- Richards v. Mitcheff, 696 F.3d 635, 637 (7th Cir. 2012)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Esco v. City of Chicago, 107 F.4th 673, 678 (7th Cir. 2024)
- Devbrow v. Kalu, 705 F.3d 765, 768 (7th Cir. 2013)
- Wilson v. Wexford Health Sources, Inc., 932 F.3d 513, 517 (7th Cir. 2019)
- Walstad v. Klink, 2018 IL App (1st) 170070, ¶ 19
- Borchers v. Franciscan Tertiary Province of Sacred Heart, Inc., 2011 IL App (2d) 101257, ¶¶ 42, 45, 52
- Zlatev v. Millette, 2015 IL App (1st) 143173, ¶¶ 24, 56
- Herrera v. Cleveland, 8 F.4th 493, 494, 498-99 (7th Cir. 2021)
- Salameh v. MTF Club Operations Co., Inc., 2021 WL 4951529, at *4 (N.D. Ill. Oct. 25, 2021)
- Bryant v. City of Chicago, 746 F.3d 239, 243 (7th Cir. 2014)
- City of Rockford v. Gilles, 2022 IL App (2d) 210521, ¶ 65
- Clay v. Kuhl, 727 N.E.2d 217, 223 (Ill. 2000)
- Thede v. Kapsas, 897 N.E.2d 345, 351 (Ill. App. Ct. 2008)
- Ralda-Sanden v. Sanden, 2013 IL App (1st) 121117, ¶ 26
- Sallenger v. City of Springfield, Ill., 630 F.3d 499, 504 (7th Cir. 2010)
- Hart v. Mannina, 798 F.3d 578, 596 (7th Cir. 2015)

