

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Eric Moseley v. Karen, Brett Wilkinson, Jamie Ralph, Tammy Obrien, Tyler Timmerman, Dakota Reynolds, Paige Slater, Naomi Michek, Justice Olmstead, Ethan Bodway, Sarah, and Cameron

Moseley v. Karen · No. 26-cv-28-jdp · Decided April 13, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Eric Moseley’s prisoner civil-rights complaint because it was too vague to satisfy Federal Rule of Civil Procedure 8 and did not explain each defendant’s personal involvement. The court granted Moseley until May 4, 2026, to file an amended complaint and warned that failure to do so would result in dismissal of the case.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	April 13, 2026
DOCKET	26-cv-28-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening of a pro se prisoner civil-rights complaint under 28 U.S.C. §§ 1915 and 1915A.
STANDARD OF REVIEW	At screening under 28 U.S.C. §§ 1915 and 1915A, the court accepts the allegations as true, construes a pro se complaint generously, applies a less stringent standard than for lawyer-drafted pleadings, and dismisses claims that are frivolous, malicious, fail to state a claim, or seek damages from an immune defendant.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status not stated
PARTIES	Eric Moseley v. Karen, Brett Wilkinson, Jamie Ralph, Tammy Obrien, Tyler Timmerman, Dakota Reynolds, Paige Slater, Naomi Michek, Justice Olmstead, Ethan Bodway, Sarah, Cameron

TOPICS

pleadings

civil procedure

prisoners rights

section 1983

PRACTICE AREAS

prisoner civil rights

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8 by providing a short, plain, simple, concise, and direct statement showing entitlement to relief.
2. Whether the complaint adequately alleged each defendant's personal involvement in a constitutional deprivation.
3. Whether the complaint should be dismissed at screening under 28 U.S.C. §§ 1915 and 1915A, with leave to amend.

HOLDINGS

1. The complaint failed to satisfy Federal Rule of Civil Procedure 8 because its conclusory allegation that defendants violated constitutional rights did not provide fair notice of the claims or explain the factual basis for relief.
2. The complaint failed to state a claim against the named defendants because it did not allege how any particular defendant was personally involved in the alleged constitutional deprivation.
3. The complaint was dismissed at screening, but Moseley was granted a short opportunity to file an amended complaint correcting the pleading deficiencies.

KEY QUOTATIONS

“Federal Rule of Civil Procedure 8(a)(2) requires a complaint to include “a short and plain statement of the claim showing that the pleader is entitled to relief.”” (Analysis)

“Stated another way, Moseley must “present a story that holds together” under the relevant law.” (Analysis)

“Also, to state a claim against a particular defendant, Moseley must explain how they were personally involved in the constitutional deprivation.” (Analysis)

FACTUAL BACKGROUND

Eric Moseley, an incarcerated person at the Grant County jail, alleged that jail staff disregarded prisoners' constitutional rights. He named twelve jail officials but alleged only that they violated more than one of the prisoners' constitutional rights, without identifying what any particular defendant did or how Moseley was harmed. The court found the allegations too brief and vague to state a claim but allowed Moseley an opportunity to amend.

PROCEDURAL HISTORY

Moseley, a prisoner proceeding without counsel, filed a complaint alleging generally that jail staff violated prisoners' constitutional rights. After Moseley made an initial partial filing-fee payment, the court screened the complaint, dismissed it for failure to state a claim, and granted him until May 4, 2026, to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- Arnett v. Webster, 658 F.3d 742, 751 (7th Cir. 2011)
- Taylor v. Salvation Army National Corporation, 110 F.4th 1017, 1028 (7th Cir. 2024)
- Colbert v. City of Chicago, 851 F.3d 649, 657 (7th Cir. 2017)
- Paul v. Marberry, 658 F.3d 702, 705 (7th Cir. 2011)

OPINION

Karen

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN
ERIC MOSELEY,

Plaintiff, v. OPINION and ORDER

KAREN, BRETT WILKINSON, JAMIE RALPH,
TAMMY OBRIEN, TYLER TIMMERMAN,

26-cv-28-jdp

DAKOTA REYNOLDS, PAIGE SLATER,
NAOMI MICHEK, JUSTICE OLMSTEAD,
ETHAN BODWAY, SARAH, and CAMERON,

Defendants. Plaintiff Eric Moseley, proceeding without counsel, is a prisoner at the Grant County jail. Moseley alleges that jail staff disregards prisoners' constitutional rights.¹ He has made an initial partial payment of the filing fee as directed by the court. The next step is for me to screen Moseley's complaint and dismiss any portion that is legally frivolous or malicious, fails to state a claim upon which relief may be granted, or asks for money damages from a defendant who by law cannot be sued for money damages. 28 U.S.C. §§ 1915 and 1915A. In doing so, I must accept his allegations as true and construe the complaint generously, holding it to a less stringent standard than formal pleadings drafted by lawyers. Arnett v. Webster, 658 F.3d 742, 751 (7th Cir. 2011). I conclude that Moseley's current allegations do not state any claims for relief. But I will give him a chance to file an amended complaint. 1 The complaint initially included as plaintiffs six prisoners at the jail, but only Moseley made an initial partial payment of the filing fee for this case; the other

plaintiffs have been dismissed from the case.

ANALYSIS

Moseley's allegations are far too brief and vague to state any claims for relief. He names 12 jail officials as defendants, but alleges only that they "[v]iolated more than one of our constitutional rights." Dkt. 1, at 6. This doesn't explain what any of the defendants did to harm him. Federal Rule of Civil Procedure 8(a)(2) requires a complaint to include "a short and plain statement of the claim showing that the pleader is entitled to relief." Under Rule 8(d), "each allegation must be simple, concise, and direct." The primary purpose of these rules is fair notice. Stated another way, Moseley must "present a story that holds together" under the relevant law. *Taylor v. Salvation Army National Corporation*, 110 F.4th 1017, 1028 (7th Cir. 2024). Also, to state a claim against a particular defendant, Moseley must explain how they were personally involved in the constitutional deprivation. See *Colbert v. City of Chicago*, 851 F.3d 649, 657 (7th Cir. 2017). Moseley's complaint doesn't come close to meeting these standards. Therefore, I will dismiss his complaint. But I will give him a short time to submit an amended complaint fixing these problems. In drafting his amended complaint, Moseley should be sure to: Carefully consider whether he is naming proper defendants and omit defendants who did not participate in a violation of his rights.

Describe simply and concisely what actions he believes that each defendant took that violated his rights, using separate, numbered paragraphs. If Moseley fails to submit an amended complaint by the deadline set below, I will dismiss the entire case. See *Paul v. Marberry*, 658 F.3d 702, 705 (7th Cir. 2011).

ORDER

IT IS ORDERED that:

1. Plaintiff's complaint, Dkt. 1, is DISMISSED.
2. Plaintiff may have until May 4, 2026, to submit an amended complaint.

Entered April 13, 2026. BY THE COURT: /s/ _____

JAMES D. PETERSON

District Judge