

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

The Estate of Brian Collins, et al. v. Milwaukee County, et al.

Case No. 21-cv-1438-pp · No. 21-cv-1438-pp · Decided March 30, 2026

SUMMARY

This order addresses multiple motions for summary judgment in an action arising from Brian Collins’s death while detained at the Milwaukee County Jail. The plaintiffs asserted constitutional claims under 42 U.S.C. § 1983, Monell liability, state-law negligence, and wrongful-death claims against Milwaukee County, correctional officers, healthcare providers, insurers, and related entities. The United States District Court for the Eastern District of Wisconsin granted the identified summary-judgment motions, held that defendants Lynda Karaszewski and Liana Gramza were entitled to summary judgment, and dismissed the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Pamela Pepper
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	March 30, 2026
DOCKET	21-cv-1438-pp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought 42 U.S.C. § 1983 constitutional claims, Monell municipal-liability claims, Wisconsin negligence claims, and a wrongful-death claim arising from Brian Collins's death while detained at the Milwaukee County Jail. After limited dismissal of respondeat superior claims against Armor, the defendants moved for summary judgment. The court granted all motions, ordered summary judgment for two unrepresented defendants, and dismissed the case.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. For a pretrial detainee's inadequate-medical-care claim under the Fourteenth Amendment, the plaintiff must show that the defendant acted purposefully, knowingly, or recklessly in considering the consequences of the response to the medical condition and that the

	conduct was objectively unreasonable in light of the totality of the circumstances.
PRECEDENTIAL VALUE	district court opinion; nonprecedential
PARTIES	The Estate of Brian Collins, et al. v. Milwaukee County, et al.

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QUESTIONS PRESENTED

1. Whether Officer Palmer violated Collins's Fourteenth Amendment right to objectively reasonable medical care by waiting approximately four minutes after speaking with Collins to call a medical emergency.
2. Whether Nurses Gramza and Karaszewski were entitled to summary judgment despite not filing their own motions.
3. Whether the individual defendants' conduct constituted an objectively unreasonable response to Collins's serious medical needs under the Fourteenth Amendment.
4. Whether Milwaukee County and Armor could be held liable under Monell based on alleged delays, missed medical orders, staffing deficiencies, failure to train, or other policies or customs.
5. Whether the plaintiffs' Wisconsin negligence and wrongful-death claims against Officer Palmer were barred by failure to comply with Wisconsin's notice-of-claim statute and, alternatively, failed on the merits.

HOLDINGS

1. Palmer did not violate the Fourteenth Amendment because, after learning that Collins was having trouble breathing, he completed an approximately four-minute initial inspection and then called for a medical emergency; the plaintiffs offered no evidence that Collins's condition worsened because of that delay.
2. The court could grant summary judgment for the unrepresented nurses because the plaintiffs had notice and an opportunity to respond, the factual record was complete, and no reasonable factfinder could conclude that either nurse violated Collins's constitutional rights.
3. Milwaukee County and Armor were entitled to summary judgment because the plaintiffs did not establish an unlawful policy or custom that was the moving force behind a constitutional violation.
4. Brodie did not violate Collins's Fourteenth Amendment right to objectively reasonable medical care because his assessment and treatment plan were reasonable under the circumstances, and the plaintiffs did not establish that his failure to send Collins to the hospital on December 17 caused harm.

5. Dziedzic and Alomepe were entitled to summary judgment because their responses to Collins's medical condition were not objectively unreasonable.
6. The plaintiffs could not proceed on their state-law claims against Palmer because they failed to comply with Wis. Stat. § 893.80(1d)(b), and the claims also failed on the merits because the record did not establish negligence.

KEY QUOTATIONS

“The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” (Analysis § II.A)

“This ‘rigorous causation standard’ requires ‘a direct causal link between the challenged municipal action and the violation of [Collins’s] constitutional rights.’” (Analysis § II.B.3)

“The court may grant summary judgment for a nonmovant after giving notice and a reasonable time to respond.” (Analysis § II.B.2)

FACTUAL BACKGROUND

Brian Collins was detained at the Milwaukee County Jail and developed dizziness, fainting, abdominal pain, and breathing complaints in December 2018. Jail and medical personnel evaluated him multiple times, treated him for suspected dehydration and orthostatic hypotension, and ultimately transported him to a hospital after a subsequent examination revealed a positive Murphy's sign and severe abdominal pain. Collins suffered seizures and died at the hospital; an autopsy attributed his death to a pulmonary thromboembolism. Plaintiffs alleged that jail officers, medical personnel, Milwaukee County, and Armor Correctional Health Services violated his constitutional rights through inadequate care, delays, and deficient policies or customs.

PROCEDURAL HISTORY

The complaint was filed on December 17, 2021. On November 7, 2022, the court partially granted Armor's motion to dismiss, dismissing respondeat superior claims while allowing Monell claims to proceed. The parties then litigated several motions for summary judgment. The plaintiffs conceded dismissal of claims against several defendants, and the court entered summary judgment for all remaining defendants and dismissed the action with final judgment to follow.

DISPOSITION

dismissed

CASES CITED

- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 690-91 (1978)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 324 (1986)
- Ames v. Home Depot U.S.A., Inc., 629 F.3d 665, 668 (7th Cir. 2011)

- James v. Hale, 959 F.3d 307, 318 (7th Cir. 2020)
- Miranda v. County of Lake, 900 F.3d 335, 346-47, 352 (7th Cir. 2018)
- McCann v. Ogle County, Ill., 909 F.3d 881, 886-87 (7th Cir. 2018)
- Knight v. Wiseman, 590 F.3d 458, 466-67 (7th Cir. 2009)
- Moore v. Williams, Moore v. Williams, 835 F. App'x 143, 145 (7th Cir. 2020)
- Estate of Swayzer v. Milwaukee County, Case No. 16-cv-1703, 2022 WL 656884, at *19 (E.D. Wis. Mar. 4, 2022)
- Golden Years Homestead, Inc. v. Buckland, 557 F.3d 457, 462 (7th Cir. 2009)
- Pactiv Corp. v. Rupert, 724 F.3d 999, 1001 (7th Cir. 2013)
- Williams v. City of Chicago, 733 F.3d 749, 755 (7th Cir. 2013)
- Osler Inst., Inc. v. Forde, 333 F.3d 832, 837 (7th Cir. 2003)
- Feazell v. Wexford Health Sources, Inc., 140 F.4th 438, 442-43 (7th Cir. 2025)
- Dean v. Wexford Health Sources, Inc., 18 F.4th 214, 235 (7th Cir. 2021)
- Howell v. Wexford Health Sources, Inc., 987 F.3d 647, 653 (7th Cir. 2021)
- Gabb v. Wexford Health Sources, Inc., 945 F.3d 1027, 1035 (7th Cir. 2019)
- Whiting v. Wexford Health Sources, Inc., 839 F.3d 658, 664 (7th Cir. 2016)
- Connick v. Thompson, 563 U.S. 51, 64 (2011)
- Gill v. City of Milwaukee, 850 F.3d 335, 344 (7th Cir. 2017)
- Wilson v. Cook County, 742 F.3d 775, 780 (7th Cir. 2014)
- Hildreth v. Butler, 960 F.3d 420, 427 (7th Cir. 2020)
- Grieveson v. Anderson, 538 F.3d 763, 774 (7th Cir. 2008)
- Christensen v. Sullivan, 320 Wis. 2d 76 (Wis. 2009)
- Wesley by Wesley v. Armor Correctional Health Services, Inc., No. 19-CV-918, 2022 WL 16748861, at *7, *15 (E.D. Wis. Nov. 7, 2022)
- Ortiz v. Chicago, 656 F.3d 523, 535 (7th Cir. 2011)
- Vogelsberg v. Kim, Appeal No. 20-2926, 2022 WL 1154767, at *3 (7th Cir. Apr. 19, 2022)
- Cairel v. Alderden, 821 F.3d 823, 830 (7th Cir. 2016)
- Townsend v. Neenah Joint School District, 358 Wis. 2d 618, 632 (Wis. Ct. App. 2014)
- Martindale v. Ripp, 246 Wis. 2d 67, 89 (Wis. 2001)