

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Jennings v. Dombeck et al.

Jennings · No. 22-CV-1205-JPS · Decided March 23, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants renewed motions for summary judgment in Damonta Jennings’s action concerning alleged inadequate treatment of keratoconus. The Court enters judgment for the defendants on the Eighth Amendment deliberate-indifference claim and declines supplemental jurisdiction over the remaining state-law medical-malpractice and negligent-supervision claims, dismissing the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	P. Stadtmueller
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	March 23, 2026
DOCKET	22-CV-1205-JPS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action under 42 U.S.C. § 1983 alleging Eighth Amendment deliberate indifference to a serious medical need, along with Wisconsin medical malpractice and negligent supervision claims. The defendants moved for renewed summary judgment after earlier motions had been denied without prejudice.
STANDARD OF REVIEW	Summary judgment is appropriate when 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. The court viewed facts and reasonable inferences in the nonmovant’s favor, without weighing evidence or determining witness credibility. For the Eighth Amendment claim, the court required evidence of an objectively serious medical condition and subjective deliberate indifference, including independent or verifying medical evidence that a treatment delay exacerbated the injury or unnecessarily prolonged pain.
PRECEDENTIAL VALUE	unpublished district court order; limited persuasive value

PARTIES

Damonta Jennings v. Charles Dombeck, Laura Sukowaty, Robert Weinman, Mary Moore, Bethany South, Ashley Haseleu, Daniel LaVoie

TOPICS

section 1983 prisoners rights summary judgment medical malpractice civil procedure

PRACTICE AREAS

civil rights constitutional law prisoner medical care civil procedure state-law torts

QUESTIONS PRESENTED

1. Whether the defendants were deliberately indifferent under the Eighth Amendment to Jennings's serious medical need by allegedly delaying, canceling, or inadequately coordinating keratoconus treatment.
2. Whether the evidence showed that any defendant caused a treatment delay that exacerbated Jennings's injury or unnecessarily prolonged his pain.
3. Whether the court should exercise supplemental jurisdiction over the state-law medical malpractice and negligent supervision claims after dismissing the federal claim.

HOLDINGS

1. The defendants were entitled to summary judgment because no reasonable juror could find that any defendant was deliberately indifferent to Jennings's serious medical needs.
2. The record did not establish that any defendant was personally responsible for an unreasonable delay in Jennings's receipt of corneal cross-linking.
3. The court declined to exercise supplemental jurisdiction over the state-law medical malpractice and negligent supervision claims after dismissing the federal claim and dismissed those claims without prejudice.

KEY QUOTATIONS

“To prevail on an Eighth Amendment claim alleging a delay in providing treatment, the plaintiff “must also provide independent evidence that the delay exacerbated the injury or unnecessarily prolonged pain.”” (§ 3.1)

“The Eighth Amendment does not require that prisoners receive optimal or the best treatment available.” (§ 3.1)

“Plaintiff’s Eighth Amendment deliberate-indifference claim against all defendants be and the same is hereby DISMISSED with prejudice” (Conclusion)

FACTUAL BACKGROUND

Jennings, a Wisconsin prisoner diagnosed with keratoconus, received eye examinations and outside specialist care beginning in March 2021. Providers recommended glasses, follow-up testing, and eventually corneal cross-linking; the procedure was temporarily canceled because of confusion over approval, later reinstated, and ultimately performed in October 2022 after scheduling and security-related delays. Jennings later underwent a corneal transplant in his left eye, but the record lacked medical evidence that any defendant's conduct or the delay in cross-linking caused the transplant or worsened his condition.

PROCEDURAL HISTORY

The case proceeded on an Eighth Amendment deliberate-indifference claim against all defendants, a state-law medical malpractice claim against Mary Moore and Bethany South, and a state-law negligent supervision claim against Robert Weinman and Ashley Haseleu. The court granted the renewed summary judgment motions on the federal claim, dismissed that claim with prejudice, declined supplemental jurisdiction over the state-law claims, dismissed those claims without prejudice, and directed the clerk to enter judgment.

DISPOSITION

dismissed

CASES CITED

- *Boss v. Castro*, 816 F.3d 910, 916 (7th Cir. 2016)
- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)
- *Bridge v. New Holland Logansport, Inc.*, 815 F.3d 356, 360 (7th Cir. 2016)
- *Berry v. Chi. Transit Auth.*, 618 F.3d 688, 691 (7th Cir. 2010)
- *Whiting v. Wexford Health Sources, Inc.*, 839 F.3d 658, 662 (7th Cir. 2016)
- *Duckworth v. Ahmad*, 532 F.3d 675, 679 (7th Cir. 2008)
- *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015)
- *Farmer v. Brennan*, 511 U.S. 825, 837 (1994)
- *Roe v. Elyea*, 631 F.3d 843, 857, 861 (7th Cir. 2011)
- *Gayton v. McCoy*, 593 F.3d 610, 620 (7th Cir. 2010)
- *Edwards v. Snyder*, 478 F.3d 827, 831 (7th Cir. 2007)
- *Gutierrez v. Peters*, 111 F.3d 1364, 1372 (7th Cir. 1997)
- *Cooper v. Casey*, 97 F.3d 914, 916 (7th Cir. 1996)
- *Burton v. Downey*, 805 F.3d 776, 785 (7th Cir. 2015)
- *Pyles v. Fahim*, 771 F.3d 403, 409 (7th Cir. 2014)
- *Johnson v. Doughty*, 433 F.3d 1001, 1013 (7th Cir. 2006)
- *Greeno v. Daley*, 414 F.3d 645, 654-55 (7th Cir. 2005)
- *Snipes v. DeTella*, 95 F.3d 586, 592 (7th Cir. 1996)
- *Zaya v. Sood*, 836 F.3d 800, 805-06 (7th Cir. 2016)
- *Petties v. Carter*, 836 F.3d 722, 730-31 (7th Cir. 2016)

- Berry v. Peterman, 604 F.3d 435, 441 (7th Cir. 2010)
- Arnett v. Webster, 658 F.3d 742, 753 (7th Cir. 2011)
- McGowan v. Hulick, 612 F.3d 636, 640 (7th Cir. 2010)
- Williams v. Liefer, 491 F.3d 710, 715 (7th Cir. 2007)
- Knight v. Wiseman, 590 F.3d 458, 466 (7th Cir. 2009)
- Walker v. Wexford Health Sources, Inc., 940 F.3d 954, 957-59, 964-66 (7th Cir. 2019)
- Pepper v. Village of Oak Park, 430 F.3d 805, 810 (7th Cir. 2005)
- Al's Serv. Ctr. v. BP Prods. N. Am., Inc., 599 F.3d 720, 727 (7th Cir. 2010)

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