

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Dennis Michael Mintun v. Tyrell Davis, Jennifer Tyvand, Sgt. Hammer, Lt. Corey Seely, and Jeff Kirkman

Mintun · No. 1:23-cv-00427-DCN · Decided January 21, 2026

SUMMARY

The United States District Court for the District of Idaho grants Defendants’ motion for summary judgment in Dennis Michael Mintun’s prisoner civil-rights action. The claims concern restrictions on group religious worship during and after the COVID-19 pandemic, alleged retaliation related to Plaintiff’s role as a religious-group facilitator, and claims under the First Amendment, RLUIPA, and Idaho’s Free Exercise of Religion Protected Act.

CASE DETAILS

COURT	United States District Court for the District of Idaho
WRITING FOR THE COURT	David C. Nye
JURISDICTION	United States District Court for the District of Idaho
DECIDED	January 21, 2026
DOCKET	1:23-cv-00427-DCN
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action involving First Amendment free-exercise and retaliation claims under 42 U.S.C. § 1983, claims under RLUIPA and Idaho FERPA, and requests for damages and injunctive relief. Defendants moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views facts and reasonable inferences in the light most favorable to the nonmoving party, but the nonmoving party must identify competent, admissible evidence creating a genuine dispute. The court also applied the plausibility standard under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b) and reviewed qualified-immunity issues under the two-prong Saucier-Pearson framework.
PRECEDENTIAL VALUE	unpublished district court memorandum decision and order; persuasive only

PARTIES

Dennis Michael Mintun v. Tyrell Davis, Jennifer Tyvand, Sgt. Hammer, Lt. Corey Seely, Jeff Kirkman

TOPICS

prisoners rights

first amendment

section 1983

qualified immunity

summary judgment

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

religious liberty

civil procedure

QUESTIONS PRESENTED

1. Whether claims arising before September 27, 2021 were barred by the applicable two-year statute of limitations.
2. Whether Mintun presented sufficient evidence that his removal as religious-group facilitator was caused by protected activity and did not reasonably advance a legitimate penological interest.
3. Whether the post-August 2023 restrictions on group worship substantially burdened Mintun's religious exercise under the Free Exercise Clause, RLUIPA, or Idaho FERPA.
4. Whether the COVID-19-related restrictions on group worship were reasonably related to legitimate penological interests under the Turner standard.
5. Whether defendants were entitled to qualified immunity on the free-exercise and RLUIPA claims.
6. Whether RLUIPA claims against defendants in their individual capacities were cognizable.
7. Whether claims for monetary damages were barred by Eleventh Amendment sovereign immunity.
8. Whether claims for injunctive relief were moot and independently unavailable under the PLRA absent a current and ongoing federal-rights violation.

HOLDINGS

1. Claims arising before September 27, 2021 are time-barred because the applicable limitations period for the federal civil-rights claims was two years and Mintun did not establish sufficient tolling or equitable estoppel.
2. Defendants were entitled to summary judgment on the retaliation claim because Mintun failed to produce evidence showing that he was removed as facilitator because of protected conduct, and the removal was reasonably related to legitimate penological interests.
3. Mintun failed to state or support a claim that the reduced group-worship schedule from August 2023 to the present substantially burdened his religious exercise under the Free Exercise Clause, RLUIPA, or Idaho FERPA.
4. The restrictions on group worship, including the total ban from June 2020 to August 2023, were reasonably related to legitimate penological interests and therefore did not violate the Free Exercise Clause.

5. Defendants were entitled to qualified immunity on Mintun's free-exercise and RLUIPA claims because, in the specific circumstances of the COVID-19 pandemic and severe prison staffing shortages, the unlawfulness of restricting group worship was not clearly established.
6. Mintun's RLUIPA claims against defendants in their individual capacities were not cognizable because RLUIPA does not authorize suits against individuals in their personal capacities or monetary damages against state officials.
7. All claims for monetary damages were barred by Eleventh Amendment sovereign immunity.
8. Mintun's claims for injunctive relief concerning the total ban on group worship were moot because the ban had ended, the challenged conduct was not reasonably likely to recur, and there was no current and ongoing violation of federal law.

KEY QUOTATIONS

“The COVID-19 pandemic was the single greatest global health threat in living memory.” (Discussion § 3.E)

“If a court finds no current and ongoing violation of ‘the Federal right,’ the inquiry ends.” (Discussion § 3.H)

FACTUAL BACKGROUND

Mintun, an Idaho prisoner and founder of the Kingdom of Eroses—Greek Pagan Path, alleged that Idaho State Correctional Institution restricted group religious worship during and after the COVID-19 pandemic. The prison completely closed its chapel and outdoor worship area from June 2020 to May 2022, restricted chapel access for inmate-led groups from May to September 2022, closed the worship areas from September 2022 to August 2023 because the religious-activities coordinator position was vacant, and later reopened worship on a reduced schedule. Mintun also alleged that he was removed as the group's facilitator in May or June 2023 in retaliation for using the grievance process, although prison officials attributed the removal to a practice of rotating facilitators for security reasons. He was reappointed in September 2024.

PROCEDURAL HISTORY

Mintun filed the initial complaint on September 27, 2023, and filed an amended complaint on February 26, 2024. The court previously allowed free-exercise and retaliation claims under § 1983, RLUIPA claims, and Idaho FERPA claims to proceed. After considering the summary-judgment record and the pleading, the court granted defendants' motion and ordered judgment in their favor.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 677–78, 682 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323–25, 327 (1986)

- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247–48, 252 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586 (1986)
- Carmen v. San Francisco Unified Sch. Dist., 237 F.3d 1026, 1029 (9th Cir. 2001)
- So. Ca. Gas Co. v. City of Santa Ana, 336 F.3d 885, 889 (9th Cir. 2003)
- Butler v. San Diego Dist. Attorney’s Office, 370 F.3d 956, 963 (9th Cir. 2004)
- Soto v. Sweetman, 882 F.3d 865, 872–73 (9th Cir. 2018)
- F.T.C. v. Publ’g Clearing House, Inc., 104 F.3d 1168, 1171 (9th Cir. 1997), as amended (Apr. 11, 1997)
- Fraser v. Goodale, 342 F.3d 1032, 1036–37 (9th Cir. 2003)
- Beyene v. Coleman Sec. Services, Inc., 854 F.2d 1179, 1182 (9th Cir. 1988)
- T.W. Elec. Serv., Inc., 809 F.2d at 630–31
- McLaughlin v. Liu, 849 F.2d 1205, 1208 (9th Cir. 1988)
- Thomas v. Ponder, 611 F.3d 1144, 1150 (9th Cir. 2010)
- Keenan v. Hall, 83 F.3d 1083, 1090 n.1 (9th Cir. 1996), opinion amended on denial of reh’g, 135 F.3d 1318 (9th Cir. 1998)
- McElyea v. Babbitt, 833 F.2d 196, 197–98 & n.1 (9th Cir. 1987)
- Crumpton v. Gates, 947 F.2d 1418, 1420 (9th Cir. 1991)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- Taylor v. List, 880 F.2d 1040, 1045 (9th Cir. 1989)
- Starr v. Baca, 652 F.3d 1202, 1205–09 (9th Cir. 2011)
- Rhodes v. Robinson, 408 F.3d 559, 567–68 (9th Cir. 2005)
- Rizzo v. Dawson, 778 F.2d 527, 532 & n.4 (9th Cir. 1985)
- Wood v. Yordy, 753 F.3d 899, 905 (9th Cir. 2014)
- Pratt v. Rowland, 65 F.3d 802, 806–08 (9th Cir. 1995)
- Mendocino Env’tl Ctr. v. Mendocino Cnty., 192 F.3d 1283, 1300 (9th Cir. 1999)
- Davis v. Goord, 320 F.3d 346, 353 (2d Cir. 2003)
- Morris v. Powell, 449 F.3d 682, 686 (5th Cir. 2006)
- Cantwell v. Connecticut, 310 U.S. 296, 303–04 (1940)
- O’Lone v. Estate of Shabazz, 482 U.S. 342, 348, 350–53 (1987)
- Cruz v. Beto, 405 U.S. 319, 322 & n.2 (1972) (per curiam)
- Malik v. Brown, 16 F.3d 330, 333 (9th Cir. 1994)
- Rapier v. Harris, 172 F.3d 999, 1006 n.4 (7th Cir. 1999)
- Wintrode v. Ada Cnty. Jail Emps., No. 1:24-CV-00015-DCN, 2025 WL 2374328, at *3 (D. Idaho Aug. 13, 2025)
- Tapp v. Stanley, 2008 WL 4934592, at *7 (W.D.N.Y. Nov. 17, 2008)
- Warsoldier v. Woodford, 418 F.3d 989, 994–95, 999 (9th Cir. 2005)
- San Jose Christian College v. City of Morgan Hill, 360 F.3d 1024, 1034 (9th Cir. 2004)

- *Cutter v. Wilkinson*, 544 U.S. 709, 722–26 & n.13 (2005)
- *Holt v. Hobbs*, 574 U.S. 352, 364–65 (2015)
- *Gonzales v. O Centro Espirita Beneficente Uniao Do Vegetal*, 546 U.S. 418, 436 (2006)
- *State v. White*, 271 P.3d 1217, 1220 (Idaho Ct. App. 2011)
- *Miller v. French*, 530 U.S. 327, 347 (2000)
- *Balla v. Idaho State Bd. of Correction*, No. 1:81-CV-1165-BLW, 2020 WL 2812564, at *7 (D. Idaho May 30, 2020), *aff'd sub nom. Balla v. Idaho*, 29 F.4th 1019 (9th Cir. 2022)
- *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 18 (2020)
- *Overton v. Bazzetta*, 539 U.S. 126, 133 (2003)
- *Ramsey v. Stewart*, 232 F.3d 896 (9th Cir. 2000) (table)
- *Ward v. Walsh*, 1 F.3d 873, 877 (9th Cir. 1993)
- *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982)
- *Hunter v. Bryant*, 502 U.S. 224, 227 (1991) (per curiam)
- *Lovelace v. Lee*, 472 F.3d 174, 198–99 (4th Cir. 2006)
- *Osolinski v. Kane*, 92 F.3d 934, 936 (9th Cir. 1996)
- *Schroeder v. McDonald*, 55 F.3d 454, 461 (9th Cir. 1995)
- *Plumhoff v. Rickard*, 572 U.S. 765, 779 (2014)
- *Anderson v. Creighton*, 483 U.S. 635, 640 (1987)
- *Kisela v. Hughes*, 584 U.S. 100, 104 (2018)
- *Mullenix v. Luna*, 577 U.S. 7, 14 (2015)
- *Sossamon v. Texas*, 563 U.S. 277, 280 (2011)
- *Hans v. Louisiana*, 134 U.S. 1, 16–18 (1890)
- *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984)
- *Quern v. Jordan*, 440 U.S. 332, 342–44 (1979)
- *Edelman v. Jordan*, 415 U.S. 651, 663 (1974)
- *Will v. Mich. Dep't of State Police*, 491 U.S. 58, 63 n.4 (1989)
- *Leer v. Murphy*, 844 F.2d 628, 632 (9th Cir. 1988)
- *United States v. Concentrated Phosphate Exp. Ass'n*, 393 U.S. 199, 203 (1968)
- *Newberg v. Wellpath Recovery Sols.*, No. 2:20-CV-646-JLB-NPM, 2024 WL 4212970, at *12 (M.D. Fla. Sept. 17, 2024)
- *Riggs v. Davis*, No. 3:24-CV-00443-ART-CLB, 2025 WL 3222501, at *7 (D. Nev. July 17, 2025)
- *Rouse v. Whitmer*, No. CV 20-12308, 2022 WL 2525434, at *8 (E.D. Mich. June 13, 2022), report and recommendation adopted, No. 20-CV-12308, 2022 WL 2517241 (E.D. Mich. July 6, 2022)
- *Minkosky v. Gladieux*, No. 1:22-CV-00300-SLC, 2025 WL 785829, at *5 (N.D. Ind. Mar. 11, 2025)
- *Jones v. R.R. Donnelley & Sons Co.*, 541 U.S. 369 (2004)
- *Brown v. Valoff*, 422 F.3d 926, 943 (9th Cir. 2005)
- *Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454, 464–65 (1975)

- Wilhelm v. Frampton, 158 P.3d 310, 312 (Idaho 2007)
- J.R. Simplot Co. v. Chemetics International, Inc., 887 P.2d 1039, 1042 (Idaho 1994)
- Day as Tr. of Tr. B of Donald M. Day & Marjorie D. Day Fam. Tr. v. Transportation Dep't, 166 Idaho 293, 301, 458 P.3d 162, 170 (Idaho 2020)
- Houston v. Lack, 487 U.S. 266, 270–71 (1988)

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