

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Carmichael-Bey v. Wexford Health Sources, Inc.

No. 3:25-cv-01615 (S.D. Ill. Feb. 10, 2026) · No. 3:25-cv-01615 · Decided February 10, 2026

SUMMARY

The United States District Court for the Southern District of Illinois conducts preliminary screening under 28 U.S.C. § 1915A of Jeffrey Carmichael-Bey’s § 1983 complaint concerning a leg injury and alleged deficient medical care at Centralia Correctional Center. The court dismisses the claims involving the damaged gymnasium carpet, missed meal, several medical and correctional defendants, and requested injunctive relief, while allowing the deliberate-indifference medical-care claim to proceed against Nurse Stauffer, Dr. Myers, and Dr. Arora. The court also denies the plaintiff’s motion for recruitment of counsel.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Mark A. Beatty
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	February 10, 2026
DOCKET	3:25-cv-01615
DISPOSITION	other
PROCEDURAL POSTURE	Preliminary review of prisoner civil rights complaint under 28 U.S.C. § 1915A
STANDARD OF REVIEW	28 U.S.C. § 1915A screening standard
PRECEDENTIAL VALUE	unpublished

TOPICS

- prisoners rights
- cruel and unusual punishment
- section 1983
- pleadings
- motions to dismiss

PRACTICE AREAS

- civil rights
- constitutional law
- health law
- civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff stated an Eighth Amendment claim against Supervisor Morrison for deliberate indifference to unsafe prison conditions (damaged carpet) under 42 U.S.C. § 1983
2. Whether Plaintiff stated Eighth Amendment claims against Nurse Stauffer, Dr. Wagner, Dr. Zhu, Dr. Watson, Dr. Myers, Dr. Arora, Nurse Hodge, and Wexford for deliberate indifference to serious medical needs
3. Whether Plaintiff stated Eighth Amendment claims against correctional officers for denying him a meal based on false information about his condition
4. Whether Plaintiff stated a claim for injunctive relief against Warden Wehking and Healthcare Unit Administrator Simpson

HOLDINGS

1. A damaged carpet in a prison gymnasium does not constitute an objectively 'sufficiently serious' hazard that reflects deliberate indifference required to impose liability under § 1983; poorly maintained surfaces in prisons do not pose a substantial risk of harm.
2. Plaintiff sufficiently stated an Eighth Amendment claim against Nurse Stauffer for deliberately indifferent medical treatment by improperly treating his injury, sending him back to his housing unit, instructing him to walk on his fractured leg, and failing to ensure meal delivery.
3. Count 2 dismissed as to Dr. Wagner because even assuming he delayed sending the x-ray report, there is nothing to suggest the delay was deliberate rather than negligent.
4. Count 2 dismissed as to Dr. Zhu and Dr. Watson because they are private citizens not acting under color of state law, there is no vicarious liability under § 1983, and there is no constitutional duty to report past errors in medical care.
5. Count 2 dismissed as to Wexford because Plaintiff failed to identify a policy or practice that caused the constitutional violation; he alleged employees failed to follow existing policy rather than that a policy caused the violation.
6. Missing a single evening meal does not impose the type of severe harm required to amount to cruel and unusual punishment under the Eighth Amendment.
7. Count 5 dismissed because Plaintiff cannot receive injunctive relief based on a past violation, and his requested relief is not narrowly tailored to the surviving claims.

KEY QUOTATIONS

“Plaintiff’s hazardous condition, a carpet in disrepair in the gymnasium, does not ‘suggest a substantial risk of serious harm that reflects the deliberate indifference required to impose liability under §1983.’”

“Federal courts consistently have adopted the view that slippery surfaces and shower floors in prisons, without more, cannot constitute a hazardous condition of confinement.”

“Prison officials are not required to maintain a ‘maximally safe environment.’”

“Negligence ‘does not give rise to a constitutional violation.’”

“As a general rule, however, Section 1983 does not provide recourse against private citizens (i.e. someone who is not a state actor).”

“‘[T]here is, of course, a de minimus level of imposition with which the Constitution is not concerned.’”

“Missing a single meal, while unpleasant, did not impose on Plaintiff the type of severe harm required to amount to cruel and unusual punishment under the Eighth Amendment.”

“Plaintiff is claiming that Wexford employees failed to follow a policy; not that a specific policy caused a constitutional violation.”

FACTUAL BACKGROUND

Plaintiff, an IDOC inmate at Centralia Correctional Center, suffered a knee injury on February 10, 2024, when his foot became entangled in damaged carpet in the gymnasium. He alleges Nurse Stauffer provided inadequate initial treatment, failed to admit him to the infirmary per policy, and instructed him to walk on his fractured leg. He was denied a medical lay-in tray for his evening meal based on false information that he had walked out of the healthcare unit. X-rays on February 14, 2024, confirmed a fractured leg, but he did not see a physician until February 28, 2024, when Dr. Myers confirmed the fracture and displacement. Subsequent specialist appointments revealed the bone had healed with a depression, requiring eventual surgery due to meniscus deterioration. Plaintiff alleges systemic delays in medical care over many months.

PROCEDURAL HISTORY

Plaintiff, an Illinois Department of Corrections inmate, filed a pro se complaint under 42 U.S.C. § 1983 alleging various Eighth Amendment violations. The Court conducted mandatory screening under 28 U.S.C. § 1915A and entered this Memorandum and Order.

DISPOSITION

other

CASES CITED

- Townsend v. Fuchs, 522 F.3d 765 (7th Cir. 2008)
- Christopher v. Buss, 384 F.3d 879 (7th Cir. 2004)
- Smith v. Luth, No. 14-cv-01030-NJR, 2014 WL 5334273 (S.D. Ill. Oct. 20, 2024)
- Pyles v. Fahim, 771 F.3d 403 (7th Cir. 2014)
- Hardin v. Baldwin, 770 F. App'x 289 (7th Cir. 2019)
- Cook v. Brown, No. 17-cv-527-SMY-RJD, 2019 WL 2176960 (S.D. Ill. 2019)
- Andress v. Richard, No. 16-cv-00011-WTL-MJD, 2018 WL 1794910 (S.D. Ind. 2018)
- Anderson v. Morrison, 835 F.3d 681 (7th Cir. 2016)
- Carroll v. DeTella, 255 F.3d 470 (7th Cir. 2001)
- Coffee v. Barber, No. 20-cv-965-jdp, 2021 WL 2134921 (W.D. Wis. 2021)

- Arnett v. Webster, 658 F.3d 742 (7th Cir. 2011)
- Edwards v. Snyder, 478 F.3d 827 (7th Cir. 2007)
- Perez v. Fenoglio, 792 F.3d 768 (7th Cir. 2015)
- McGowan v. Hulick, 612 F.3d 636 (7th Cir. 2010)
- Klebanowski v. Sheahan, 540 F.3d 633 (7th Cir. 2008)
- Figgs v. Dawson, 829 F.3d 895 (7th Cir. 2016)
- Norfleet v. Webster, 439 F.3d 392 (7th Cir. 2006)
- Wainwright v. Trost, No. 17-cv-1055-SMY, 2017 WL 5973026 (S.D. Ill. 2017)
- Gaston v. Ghosh, 920 F.3d 493 (7th Cir. 2019)
- Burks v. Raemisch, 555 F.3d 592 (7th Cir. 2009)
- Wright v. Sherrod, 2026 WL 100580 (S.D. Ill. 2026)
- Yerks v. Hoftiezer, No. 17-CV-172-JPS, 2017 WL 1031208 (E.D. Wis. 2017)
- Forbes v. Edgar, 112 F.3d 262 (7th Cir. 1997)
- Woodward v. Correctional Medical Services of Illinois, Inc., 368 F.3d 917 (7th Cir. 2004)
- Jackson v. Illinois Medi-Car, Inc., 300 F.3d 760 (7th Cir. 2002)
- Knight v. Wiseman, 590 F.3d 458 (7th Cir. 2009)
- Ingraham v. Wright, 430 U.S. 651 (1977)
- Morris v. Kingston, 368 F. App'x 686 (7th Cir. 2010)
- Dobbey v. Illinois Department of Corrections, 574 F.3d 443 (7th Cir. 2009)
- Bishop v. Johnson, No. 19-cv-1034-SMY, 2019 WL 6615402 (S.D. Ill. Dec. 5, 2019)
- Ybarra v. Neal, No. 21-cv-418-RLM-MGG, 2021 WL 5741328 (N.D. Ind. Dec. 2, 2021)
- Marie O. v. Edgar, 131 F.3d 610 (7th Cir. 1997)
- Rasho v. Jeffreys, 22 F.4th 703 (7th Cir. 2022)
- Kreilein v. Horth, 854 F. App'x 733 (7th Cir. 2021)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Pruitt v. Mote, 503 F.3d 647 (7th Cir. 2007)
- Kadamovas v. Steven, 706 F.3d 843 (7th Cir. 2013)