

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Gordon Clark v. State of Connecticut, et al.

Clark v. State of Connecticut · No. 22-CV-1314 (SFR) · Decided June 18, 2026

SUMMARY

The United States District Court for the District of Connecticut grants Defendants’ motion to dismiss Gordon Clark’s claims arising from the handling and photographing of his deceased wife’s body by Enfield officials and first responders. The court dismisses the federal constitutional, discrimination, municipal-liability, and conspiracy claims, generally without prejudice and with leave to amend, and declines supplemental jurisdiction over the state-law claims. The court sets a deadline of July 19, 2026, for filing an amended complaint.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Sarah F. Russell
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	June 18, 2026
DOCKET	22-CV-1314 (SFR)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved to dismiss the pro se plaintiff’s complaint under Federal Rule of Civil Procedure 12(b)(6). The court granted the motion in its entirety, dismissed the remaining federal claims without prejudice, declined supplemental jurisdiction over the state-law claims, and granted leave to amend.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. The court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff’s favor, and construes a pro se complaint liberally, but need not accept conclusory allegations or legal conclusions masquerading as facts.
PRECEDENTIAL VALUE	unpublished district-court opinion; nonprecedential
PARTIES	Gordon Clark v. State of Connecticut, Town of Enfield, Enfield officials and employees, Connecticut Office of the Chief Medical Examiner officials and employees

TOPICS

motions to dismiss

section 1983

equal protection

due process

service of process

PRACTICE AREAS

civil procedure

constitutional law

civil rights

municipal law

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged substantive due process violations based on the taking or possible sharing of photographs of the decedent's remains.
2. Whether the complaint plausibly alleged constitutional discrimination based on gender, age, or race.
3. Whether the complaint alleged personal involvement by supervisory individual defendants sufficient to support individual-capacity claims.
4. Whether the complaint alleged an underlying constitutional violation and a municipal policy, practice, or custom sufficient to support municipal liability under 42 U.S.C. § 1983 and Monell.
5. Whether the complaint plausibly alleged a conspiracy under 42 U.S.C. § 1985(3).
6. Whether the court should exercise supplemental jurisdiction over the state-law claims after dismissing the federal claims.

HOLDINGS

1. A § 1983 plaintiff must plead that each government official, including a supervisor, violated the Constitution through that official's own individual actions; the complaint did not allege personal involvement by the Enfield town manager, mayor, police chief, or director of public safety.
2. The complaint failed to state a plausible substantive due process claim because it alleged only that photographs of Lillian Clark's remains were taken and might have been shared, not that defendants published, publicly shared, or otherwise exploited the photographs for an illegitimate purpose.
3. The gender, age, and race discrimination claims were not plausibly pleaded because the complaint did not allege that Clark was treated differently from similarly situated persons as a result of intentional discrimination or connect the asserted characteristics to any defendant's conduct.
4. The complaint failed to state a § 1983 claim against the Town of Enfield because it alleged neither an underlying constitutional violation nor a municipal policy, practice, or custom causing such a violation.
5. The complaint failed to state a § 1985(3) conspiracy claim because it did not plausibly allege a deprivation of a right or privilege based on racial or other class-based invidious discriminatory animus.
6. After dismissing all federal claims, the court declined to exercise supplemental jurisdiction over the state-law claims under 28 U.S.C. § 1367(c)(3).

KEY QUOTATIONS

“A complaint may not survive unless it contains “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.””

“a plaintiff must plead that each Government-official defendant, through the official’s own individual actions, has violated the Constitution”

“The court concluded that “[t]his intrusion into the grief of a mother over her dead son—without any legitimate governmental purpose—‘shocks the conscience’ and therefore violates Marsh’s substantive due process right.””

FACTUAL BACKGROUND

After Lillian Clark died of complications from Parkinson's disease at her Enfield, Connecticut home on October 18, 2020, police and fire personnel responded and handled, photographed, and removed her clothing while examining her body. Detective Brian Callaghan photographed her body and told Gordon Clark that he would order a full autopsy, although the Office of the Chief Medical Examiner later determined that the death was natural and that no autopsy was necessary. Clark alleged that these events caused severe emotional distress and feared that the photographs might be shared, but he did not allege that the photographs had actually been published or shared outside the police department.

PROCEDURAL HISTORY

Clark filed the complaint on October 18, 2022, asserting ten counts involving constitutional, civil-rights, tort, contract, and Connecticut Unfair Trade Practices Act claims. Discovery was stayed while defendants moved to dismiss. The court had previously dismissed the State and OCME defendants, the Second Circuit dismissed Clark's interlocutory appeal, and the court later dismissed the Enfield Police Department, found service proper as to the individual police defendants after re-service, and denied Clark's motion to amend. This order resolved the pending dismissal motion as to the remaining defendants.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 676, 678 (2009)
- Kim v. Kimm, 884 F.3d 98, 103 (2d Cir. 2018)
- Lapaglia v. Transamerica Casualty Insurance Co., 155 F. Supp. 3d 153, 155-56 (D. Conn. 2016)
- Faber v. Metropolitan Life Insurance Co., 648 F.3d 98, 104 (2d Cir. 2011)
- Rolon v. Henneman, 517 F.3d 140, 149 (2d Cir. 2008)
- Matheson v. Deutsche Bank National Trust Co., 706 F. App'x 24, 26 (2d Cir. 2017)
- Triestman v. Federal Bureau of Prisons, 470 F.3d 471, 474 (2d Cir. 2006) (per curiam)
- Zapata v. City of New York, 502 F.3d 192 (2d Cir. 2007)
- Rogers v. City of Middletown, No. 22-CV-1545 (VDO), 2024 WL 4814235, at *3 (D. Conn. Nov. 18, 2024)
- Field v. City of Hartford, No. 18-CV-1803 (JAM), 2019 WL 4279011, at *6 (D. Conn. Sept. 9, 2019)
- Kentucky v. Graham, 473 U.S. 159, 169 (1985)

- Fuller v. Smirga, No. 15-cv-00112 (JAM), 2015 WL 893466, at *1, *3 (D. Conn. Mar. 2, 2015)
- Tangreti v. Bachmann, 983 F.3d 609, 619 (2d Cir. 2020)
- Zeitlin v. Palumbo, 532 F. Supp. 3d 64, 70 (E.D.N.Y. 2021)
- Marsh v. County of San Diego, 680 F.3d 1148, 1154-55 & n.3 (9th Cir. 2012)
- Phillips v. Girdich, 408 F.3d 124, 129 (2d Cir. 2005)
- Bizzarro v. Miranda, 394 F.3d 82, 86 (2d Cir. 2005)
- Students for Fair Admissions, Inc. v. President & Fellows of Harvard College, 600 U.S. 181, 206-07 (2023)
- United States v. Skrmetti, 605 U.S. 495, 510 (2025)
- Gregory v. Ashcroft, 501 U.S. 452, 470 (1991)
- Zherka v. Amicone, 634 F.3d 642, 644 (2d Cir. 2011)
- Li v. Connecticut, No. 22-cv-00996 (VAB), 2022 WL 3347220, at *21 (D. Conn. Aug. 11, 2022)
- Monell v. Department of Social Services, 436 U.S. 658, 694 (1978)
- Gomez v. City of Norwalk, No. 15-CV-01434 (MPS), 2017 WL 3033322, at *3 (D. Conn. July 17, 2017)
- Jenkins v. City of Hartford, No. 22-CV-01289 (KAD), 2024 WL 1157342, at *4 (D. Conn. Mar. 18, 2024)
- Los Angeles v. Heller, 475 U.S. 796, 799 (1986)
- Segal v. City of New York, 459 F.3d 207, 219 (2d Cir. 2006)
- Dolan v. Connolly, 794 F.3d 290, 296 (2d Cir. 2015)
- Britt v. Garcia, 457 F.3d 264, 269 n.4 (2d Cir. 2006)
- Clark v. Santander Bank, N.A., No. 24-CV-55 (VAB), 2024 WL 5186862, at *9 (D. Conn. Dec. 20, 2024)
- Roskin-Frazee v. Columbia University, 474 F. Supp. 3d 618, 627 (S.D.N.Y. 2020)
- Purgess v. Sharrock, 33 F.3d 134, 138 (2d Cir. 1994)
- Clark v. Connecticut, No. 23-CV-1527 (SVN), 2024 WL 4349054, at *4, *10 (D. Conn. Sept. 30, 2024)

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