

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, NORTHEASTERN DIVISION

Steven Keith Jones v. Alabama Department of Corrections, et al.

Jones · No. 5:24-cv-246-RDP-GMB · Decided January 23, 2026

SUMMARY

The United States District Court for the Northern District of Alabama overruled Steven Keith Jones’s objections to the Magistrate Judge’s Report and Recommendation. The court adopted the Report and Recommendation, construed Defendants’ special report as a motion for summary judgment, and granted summary judgment to the defendants. The court concluded that Jones had not properly presented or sought discovery concerning additional allegations and that his deliberate-indifference theory against Officer Chevelle Hunte failed on the merits.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Northeastern Division
WRITING FOR THE COURT	R. David Proctor
JURISDICTION	United States District Court for the Northern District of Alabama, Northeastern Division
DECIDED	January 23, 2026
DOCKET	5:24-cv-246-RDP-GMB
DISPOSITION	other
PROCEDURAL POSTURE	The court reviewed the plaintiff's objections to a magistrate judge's Report and Recommendation that defendants' special report be treated as a motion for summary judgment and that summary judgment be granted.
STANDARD OF REVIEW	The court reviewed the magistrate judge's Report and Recommendation and the plaintiff's specific objections, considering the challenged claims and the summary-judgment record.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion

TOPICS

- summary judgment
- discovery dispute
- prisoners rights
- section 1983
- civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

constitutional torts

QUESTIONS PRESENTED

1. Whether the court properly construed defendants' special report as a motion for summary judgment.
2. Whether plaintiff was denied an opportunity to request discovery before summary judgment was considered.
3. Whether plaintiff's deliberate-indifference theory against Officer Hunte could survive summary judgment based on alleged authority to notify a supervisor of unsafe conditions.

HOLDINGS

1. Plaintiff's objection that he had no right or opportunity to request discovery was unfounded because the special-report order expressly allowed him to seek leave to conduct additional discovery, and he did not do so.
2. Plaintiff could not avoid summary judgment by asserting for the first time in his late reply additional factual allegations and theories that he had not included in the complaint or identified in response to the special-report order.
3. An assertion that Officer Hunte had authority to notify a shift commander of inadequate security did not establish the subjective awareness required for deliberate indifference; a defendant's failure to perceive a risk that she should have perceived does not, without more, constitute a constitutional violation.

KEY QUOTATIONS

"Subjective awareness of a substantial risk of harm requires more than proof that a defendant should have appreciated the risk."

"Plaintiff misunderstands the standard for deliberate indifference."

FACTUAL BACKGROUND

Plaintiff asserted failure-to-protect and wrongful-disciplinary-action claims against Officer Chevelle Hunte arising from an alleged lack of security at Limestone Correctional Facility. He later alleged that Hunte was aware of violence, dangerous conditions, overcrowding, and understaffing and failed to maintain adequate policies and practices to supervise housing units and common areas. The record contained no evidence that Hunte was a supervisor or possessed policymaking authority, and plaintiff did not seek additional discovery through the procedure provided by the special-report order.

PROCEDURAL HISTORY

The magistrate judge issued a Report and Recommendation on November 3, 2025, recommending that the defendants' special report be construed as a motion for summary judgment and granted. Plaintiff filed objections on November 17, 2025, arguing that summary judgment was premature because he needed discovery and asserting additional allegations. The district court overruled the objections, adopted the Report and

Recommendation, accepted the recommendation, and ordered that summary judgment be granted; final judgment was to follow.

DISPOSITION

other

CASES CITED

- Houston v. Lack, 487 U.S. 266, 275-76 (1988)
- Goodman v. Kimbrough, 718 F.3d 1325, 1334 (11th Cir. 2013)
- Farmer v. Brennan, 511 U.S. 825, 838 (1994)

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION STEVEN KEITH JONES,)) Plaintiff,)) v.)) Case No. 5:24-cv-
246-RDP-GMB ALABAMA DEPARTMENT OF) CORRECTIONS, et al.,)) Defendants.)
MEMORANDUM OPINION The Magistrate Judge entered a Report and Recommendation on
November 3, 2025, recommending that the court treat Defendants' special report as a motion for
summary judgment and also that the court grant the motion.

(Doc. 29). Plaintiff Steven Keith Jones filed objections to the Report and Recommendation on
November 17, 2025.¹ (Doc. 30). Plaintiff's objections fail for multiple reasons. In his objections,
Plaintiff argues that treating the special report as a motion for summary judgment is "premature...
[because he] needs additional discovery... to present facts showing that he is entitled to relief."
(Doc.

30 at 1). He claims that he presented his factual allegations "during the 'special report' phase of
the litigation, where the plaintiff does not have any right to discovery or opportunity to request
discovery." (Doc. 30 at 2). Plaintiff's argument is off the mark for the following reasons. 1 The
court advised the parties of their right to file specific written objections within fourteen days.

(Doc. 29 at 16). Plaintiff indicated that he placed his objections in prison authorities' hands on
November 17, 2025, the last day for objections. (Doc. 30 at 6). By operation of the "prison
mailbox rule," a pro se prisoner's submission is deemed filed on the date it is delivered to prison
authorities for mailing. Houston v. Lack, 487 U.S. 266, 275-76 (1988).

First, as noted by the Magistrate Judge in the order for special report, Plaintiff asserted two claims
for relief in his complaint against Officer Chevelle Hunte: (1) failure to protect and (2) a wrongful
disciplinary action resulting from a lack of security. (Doc. 1 at 3-4; Doc. 1-1 at 3-5; Doc. 15 at 3).

The Magistrate Judge also summarized the factual allegations supporting each claim. (Doc. 15 at
3). The order for special report specifically ordered Plaintiff to respond within 21 days if there was

“any error in the court’s understanding of the claims” and if so to “explain the true nature of the claims the plaintiff intended to assert in the complaint.” (Doc.

15 at 3). Plaintiff did not do so, nor did he seek leave to amend his complaint to assert any additional factual allegations. Defendants thereafter filed their special report (Doc. 24), and thereafter, the court construed the special report as a motion for summary judgment and ordered Plaintiff to respond. (Doc. 25). When Plaintiff finally submitted his reply out of time,² he claimed for the first time that Defendant Hunte was aware of violence, dangerous conditions, overcrowding, and understaffing at Limestone Correctional Facility, and that she failed to have adequate policies, procedures, and practices in place to supervise and monitor housing units and common areas to keep prisoners safe.

(Doc. 29 at 6, 12-13; Doc. 30 at 2). Plaintiff’s argument, therefore, that he presented his factual allegations “during the ‘special report’ phase of the litigation,” is inaccurate. (Doc. 30 at 2). Second, the order for special report gave Plaintiff an opportunity to request discovery by filing a motion for leave of court to conduct additional discovery. (Doc.

15 at 5-6). Plaintiff did not do so. Therefore, his second argument that he did “not have any right to discovery or opportunity to request discovery” is also erroneous. (Doc. 30 at 2). Finally, even if the court were to allow discovery on Plaintiff’s claim against Defendant Hunte – that she was aware of the violence, dangerous conditions, overcrowding, and understaffing ² Specifically, Plaintiff filed his reply three months late on August 8, 2025, after the court granted his motion for an extension of time, which allowed him until May 5, 2025, to file a reply.

(Docs. 27 & 28). at Limestone and that she failed to have adequate policies, procedures, and practices in place to supervise and monitor housing units and common areas to keep prisoners safe – this claim would still fail on the merits.

As the Magistrate Judge correctly pointed out, there is no evidence that Defendant Hunte was a supervisor and had any type of policymaking authority. (Doc. 29 at 13). Plaintiff admits that he “has not alleged that Defendant Hunte was a supervisor ‘and had any type of policymaking authority. ’” (Doc. 30 at 4). Rather, he argues that Defendant Hunte “had the authority to notify her shift commander about the lack of security in K-Dorm, but she failed do so.” (Id.).

Plaintiff misunderstands the standard for deliberate indifference. Even assuming there were no officers in the K-Dorm at the time of the incident, Plaintiff’ argument that Defendant Hunte had the “authority” to notify her supervisor of that fact is irrelevant. Subjective awareness of a substantial risk of harm requires more than proof that a defendant should have appreciated the risk.

See *Goodman v. Kimbrough*, 718 F.3d 1325, 1334 (11th Cir. 2013) (holding that if the court accepted this theory, the deliberate indifference standard would be “silently metamorphosed into a font of tort law—a brand of negligence redux—which the Supreme Court has made abundantly

clear it is not”). Indeed, “an official’s failure to alleviate a significant risk that [s]he should have perceived but did not, while no cause for commendation, cannot under our cases be condemned” as a constitutional violation.

Farmer v. Brennan, 511 U.S. 825, 838 (1994). For all the reasons stated above, Plaintiff’ objections are OVERRULED. After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court ADOPTS the Report and ACCEPTS the recommendation. Consistent with that recommendation, the court finds that Defendants’ motion for summary judgment is due to be GRANTED.

A final judgment will be entered. DONE and ORDERED this January 23, 2026. R! DAVID Z 24 2
SENIOR U.S. DISTRICT JUDGE