

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

Terri McGuire-Mollica v. Richard Griffin, et al.

McGuire-Mollica v. Griffin, No. 7:20-cv-01768-SGC (N.D. Ala. June 16, 2026) · No. 7:20-cv-01768-SGC ·
Decided June 16, 2026

SUMMARY

The United States District Court for the Northern District of Alabama granted federal defendants’ motion for judgment on the pleadings in a pro se Bivens action alleging inadequate medical care in violation of the Eighth Amendment. The court held that the claim presented a new Bivens context under controlling Eleventh Circuit precedent and that special factors, including the Bureau of Prisons’ administrative remedy program, foreclosed extending a damages remedy. The court also denied the plaintiff’s motions to amend, transfer the action to state court, and impose sanctions.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Western Division
WRITING FOR THE COURT	Staci G. Cornelius
JURISDICTION	United States District Court for the Northern District of Alabama, Western Division
DECIDED	June 16, 2026
DOCKET	7:20-cv-01768-SGC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a pro se Bivens action alleging that federal prison officials violated the Eighth Amendment by delaying or denying medical care. After the Eleventh Circuit vacated an earlier dismissal for failure to exhaust administrative remedies and remanded, defendants moved for judgment on the pleadings. Plaintiff also moved to amend, transfer the case to state court, and impose sanctions.
STANDARD OF REVIEW	A Rule 12(c) motion for judgment on the pleadings is evaluated under the same standard as a Rule 12(b)(6) motion. The court accepts well-pleaded factual allegations as true and construes them in the plaintiff's favor, but the complaint must contain sufficient factual matter to state a facially plausible claim. Leave to amend may be denied when the

	proposed amendment would be futile. Sanctions under the court's inherent authority require a showing of bad faith.
PRECEDENTIAL VALUE	unpublished
PARTIES	Terri McGuire-Mollica v. Richard Griffin, Xinyu Li, Sharon Bailey, et al.

TOPICS

motion for judgment on the pleadings

sanctions

civil procedure

prisoners rights

PRACTICE AREAS

civil procedure

constitutional law

civil rights

prisoner civil rights

remedies

QUESTIONS PRESENTED

1. Whether defendants were entitled to judgment on the pleadings because plaintiff's Eighth Amendment medical-care claim presented a new Bivens context and special factors counseled against recognizing a damages remedy.
2. Whether plaintiff should be allowed to amend her complaint to assert claims under 18 U.S.C. § 4042(a) (2) and a Bureau of Prisons patient-care program statement.
3. Whether the action could be transferred from federal court to state court as a medical-malpractice action.
4. Whether sanctions were warranted under Federal Rule of Civil Procedure 11, Alabama Rule of Professional Conduct 3.3, or the court's inherent authority based on alleged falsification or alteration of medical records and declarations.

HOLDINGS

1. Plaintiff's claim presents a new Bivens context because the alleged injuries differ in severity, type, and treatment from the injuries in *Carlson v. Green*, and because the Bureau of Prisons administrative-remedy program is an alternative remedy not considered in *Carlson*.
2. No Bivens damages remedy is available for plaintiff's claim because, under *Egbert v. Boule*, Congress is at least arguably better equipped than the judiciary to determine whether an additional damages remedy should be created, and the special-factors analysis therefore forecloses extension of Bivens.
3. Leave to amend was denied because the proposed amendment would be futile: § 4042 does not create a private damages action against individual BOP officials, and violation of an internal BOP program statement does not itself establish a constitutional or statutory violation.
4. The motion to transfer was denied because the plaintiff identified no authority or mechanism permitting a federal court to transfer an originally filed federal action to state court, and the complaint asserted constitutional claims rather than a state-law medical-malpractice claim.
5. Sanctions were denied because Rule 11 and Alabama Rule of Professional Conduct 3.3 do not apply to the represented defendants in the circumstances presented, and plaintiff failed to show bad faith or other

sanctionable conduct.

KEY QUOTATIONS

“The alternative remedy question is a general one, not a specific one; a macro focus, not a micro focus.”

“The only consideration is whether there is a remedial process in place that is intended to redress the kind of harm faced by those like the plaintiff.”

FACTUAL BACKGROUND

Plaintiff alleged that she was diagnosed in 2016 with a six-centimeter uterine fibroid and that an outside physician recommended laparoscopic removal. She alleged that federal prison medical personnel knew of the condition and recommendation but delayed or refused treatment, and that by July 2020 the fibroid had grown to 21 centimeters, causing substantial bleeding, pain, anemia, prolapse, a hernia, gastrointestinal bleeding, anxiety, and depression. She also alleged that defendant Bailey falsified medical-record entries concerning plaintiff's refusal of treatment.

PROCEDURAL HISTORY

The action was filed in November 2020. After screening under 28 U.S.C. § 1915A, the court allowed an Eighth Amendment claim concerning a uterine cyst to proceed and dismissed other claims and defendants without prejudice. Defendants later moved to dismiss for failure to exhaust administrative remedies and for summary judgment; the court dismissed the action on exhaustion grounds, but the Eleventh Circuit vacated that order and remanded. On remand, the district court granted judgment on the pleadings for defendants, denied amendment as futile, denied transfer to state court, and denied sanctions.

DISPOSITION

other

CASES CITED

- Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971)
- Davis v. Passman, 442 U.S. 228 (1979)
- Carlson v. Green, 446 U.S. 14 (1980)
- Ziglar v. Abbasi, 582 U.S. 120 (2017)
- Hernandez v. Mesa, 589 U.S. 93 (2020)
- Egbert v. Boule, 596 U.S. 482 (2022)
- Corr. Servs. Corp. v. Malesko, 534 U.S. 61 (2001)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Johnson v. Terry, 119 F.4th 840 (11th Cir. 2024)
- Ellis v. Fed. Bureau of Prisons, No. 23-0231-MHH-NAD, 2024 WL 4684393, at *5 (N.D. Ala. Oct. 7, 2024)
- Duncan v. United States, No. 1:20-cv-1685-SEG, 2023 WL 2370479, at *5 (N.D. Ga. Feb. 27, 2023)

- *Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024)
- *Chevron, U.S.A. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984)
- *Moore v. Lapin*, No. 3:08-cv-344/MCR/EMT, 2009 WL 3336082, at *4 (N.D. Fla. Oct. 15, 2009)
- *Harper v. Williford*, 96 F.3d 1526, 1527 (D.C. Cir. 1996)
- *Chinchello v. Fenton*, 805 F.2d 126, 134 (3d Cir. 1986)
- *Cawthorn v. Hemingway*, No. 2:15-cv-0429-MHT, 2016 WL 2600713, at *2 (M.D. Ala. Feb. 24, 2016)
- *McDaniel v. Mylan, Inc.*, No. 7:19-cv-00209-LSC, 2019 WL 11638407, at *4 (N.D. Ala. Dec. 16, 2019)
- *Burger King Corp. v. Weaver*, 169 F.3d 1310, 1320 (11th Cir. 1999)
- *Taylor v. Wormuth*, No. 5:22-cv-01350-HNJ, 2023 WL 12144184, at *2 (N.D. Ala. Sept. 7, 2023)

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