

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Terry Donald Rutledge a/k/a Tori Elise Rutledge v. Jack Hendrix,
William Wilson, Lloyd Arnold, and the Warden of Westville
Correctional Facility

Rutledge · No. 3:26-CV-397-PPS-AZ · Decided March 30, 2026

SUMMARY

The United States District Court for the Northern District of Indiana screens Terry Donald Rutledge’s 42 U.S.C. § 1983 complaint concerning alleged danger from other inmates and a requested transfer to protective custody. The court dismisses duplicative and unsupported claims, permits official-capacity injunctive-relief claims to proceed against the Warden of Westville Correctional Facility and three IDOC officials, and directs service. The court orders the Warden to respond to Rutledge’s motion for a preliminary injunction by April 17, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	March 30, 2026
DOCKET	3:26-CV-397-PPS-AZ
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner brought an action under 42 U.S.C. § 1983 and moved for a preliminary injunction. The district court screened the complaint under 28 U.S.C. § 1915A, allowed limited official-capacity injunctive-relief claims to proceed, dismissed the remaining claims, added the facility warden as a defendant, and ordered a response to the preliminary-injunction motion.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court screened the complaint for frivolousness, maliciousness, failure to state a claim, and claims seeking monetary relief from immune defendants. The complaint had to contain sufficient factual matter to state a claim plausible on its face, with pro se allegations liberally construed. The preliminary-injunction motion was evaluated under the four Winter factors, with

the plaintiff required to make a clear showing of entitlement to extraordinary relief.

PRECEDENTIAL VALUE

Unpublished district court screening order; persuasive value only

TOPICS

prisoners rights

cruel and unusual punishment

section 1983

injunctions

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional litigation

prison conditions

injunctive relief

QUESTIONS PRESENTED

1. Whether allegations duplicating claims raised in other pending civil-rights cases should be dismissed as malicious under the in forma pauperis statute.
2. Whether Rutledge plausibly stated an Eighth Amendment failure-to-protect claim against high-ranking IDOC officials for damages or injunctive relief.
3. Whether Rutledge was entitled at that stage to a preliminary injunction ordering her immediate transfer to another facility.

HOLDINGS

1. A prisoner may not use the in forma pauperis statute to pursue claims duplicating claims already pending in another case; Rutledge's duplicative allegations were dismissed as malicious.
2. A failure-to-protect claim requires allegations that prison officials were actually aware of a substantial, specific risk to the prisoner's safety and deliberately failed to take appropriate protective action; general awareness that prisons are dangerous is insufficient.
3. Rutledge may proceed against the warden and the three IDOC officials in their official capacities for injunctive relief addressing her ongoing need for protection from other inmates.
4. The Eighth Amendment does not require prison officials to provide protection through the particular housing placement or transfer chosen by the prisoner, so long as the officials provide reasonable protection from the threat.
5. The court did not grant immediate transfer or otherwise rule definitively on the preliminary-injunction motion; instead, it ordered the warden to respond before taking further action.

KEY QUOTATIONS

“To survive dismissal, a complaint must contain sufficient factual matter to state a claim that is “plausible on its face.””

“The Eighth Amendment imposes a duty on prison officials to “protect prisoners from violence at the hands of other prisoners.””

“Prison officials do not violate the Eight[h] Amendment because the mode of protection they offer does not sit well with a prisoner.”

“A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.”

FACTUAL BACKGROUND

Rutledge, an incarcerated person housed in long-term segregation at Westville Correctional Facility, alleged that prison staff planned to release her to general population. She claimed that her prior gang affiliation and cooperation in a trafficking investigation created a serious risk of harm and sought transfer to protective custody at another facility. The complaint also included allegations concerning attacks, mental-health treatment, and segregation assignment issues that were being litigated in other pending civil-rights cases.

PROCEDURAL HISTORY

Rutledge filed a § 1983 complaint alleging that she would face danger if released from long-term segregation into general population and seeking transfer to protective custody at another facility. The court determined that some allegations duplicated claims pending in other cases and dismissed those allegations as malicious. It permitted an Eighth Amendment failure-to-protect claim for injunctive relief to proceed against the warden and three IDOC officials in their official capacities, while deferring ruling on the preliminary injunction and ordering the warden to respond.

DISPOSITION

other

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Lindell v. McCallum, 352 F.3d 1107, 1109 (7th Cir. 2003)
- Farmer v. Brennan, 511 U.S. 825, 833 (1994)
- Grieverson v. Anderson, 538 F.3d 763, 777 (7th Cir. 2008)
- Brown v. Budz, 398 F.3d 904, 913 (7th Cir. 2005)
- Santiago v. Wells, 599 F.3d 749, 756 (7th Cir. 2010)
- Klebanowski v. Sheahan, 540 F.3d 633, 639 (7th Cir. 2008)
- Burks v. Raemisch, 555 F.3d 592, 596 (7th Cir. 2009)
- Gonzalez v. Feinerman, 663 F.3d 311, 315 (7th Cir. 2011)
- Dale v. Poston, 548 F.3d 563, 570 (7th Cir. 2008)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997)

- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Illinois Republican Party v. Pritzker, 973 F.3d 760, 762-63 (7th Cir. 2020)
- Doe v. University of Southern Indiana, 43 F.4th 784, 791 (7th Cir. 2022)
- Westefer v. Neal, 682 F.3d 679, 681 (7th Cir. 2012)
- Rasho v. Jeffreys, 22 F.4th 703, 711-13 (7th Cir. 2022)
- Bell v. Wolfish, 441 U.S. 520, 547 (1979)
- Meachum v. Fano, 427 U.S. 215, 224-25 (1976)
- Antonelli v. Sheahan, 81 F.3d 1422, 1431 (7th Cir. 1996)

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