

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, SPRINGFIELD DIVISION**

Kelvyn West v. Lincoln Correctional Center, et al.

West v. Lincoln Correctional Center, No. 25-3346 (C.D. Ill. Apr. 28, 2026) · No. 25-3346 · Decided April 28,
2026

OPINION

West

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF ILLINOIS

SPRINGFIELD DIVISION

KELVYN WEST,)

) Plaintiff,)) v.) 25-3346)

LINCOLN CORRECTIONAL CENTER, et)

al.)) Defendants.)

MERIT REVIEW ORDER

Plaintiff, proceeding pro se and presently incarcerated at Lincoln Correctional Center, was granted leave to proceed in forma pauperis. The case is now before the Court for a merit review of Plaintiff’s claims. The Court must “screen” Plaintiff’s complaint, and through such process to identify and dismiss any legally insufficient claim, or the entire action if warranted. 28 U.S.C. § 1915A. A claim is legally insufficient if it “(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.” *Id.* The Court accepts the factual allegations as true, liberally construing them in the plaintiff’s favor. *Turley v. Rednour*, 729 F.3d 645, 649 (7th Cir. 2013). Conclusory statements and labels are insufficient—the facts alleged must “state a claim for relief that is plausible on its face.” *Alexander v. U.S.*, 721 F.3d 418, 422 (7th Cir. 2013) (citation omitted). Plaintiff alleges that the water at several correctional facilities is contaminated and contains foreign objects. Plaintiff alleges that he has suffered illness and skin issues as a result. Plaintiff did not name any defendants in his complaint. To the extent that he seeks to sue the correctional facilities themselves, they are not proper defendants under 42 U.S.C. § 1983. See *Powell v. Cook County Jail*, 814 F. Supp. 757, 758 (N.D. Ill. 1993) (holding the Cook County Jail was not a person under Section 1983). Claims arising at different facilities likely require litigation in separate lawsuits. *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007) (“Unrelated claims against different defendants belong in different suits.”); *Owens v. Godinez*, 860 F.3d 434, 436 (7th Cir. 2017) (“[D]istrict courts should not allow inmates to flout the rules for joining claims and defendants... or to circumvent the Prison Litigation Reform Act’s fee requirements by combining multiple

lawsuits into a single complaint.”). To state a claim, Plaintiff must allege facts that permit a plausible inference that he suffered a sufficiently serious deprivation and that prison officials were deliberately indifferent. *Townsend v. Fuchs*, 522 F.3d 765, 773 (7th Cir. 2008). A prison official acts with deliberate indifference when “the official knows of and disregards an excessive risk to inmate health or safety; the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference.” *Farmer v. Brennan*, 511 U.S. 825, 837 (1994). A prison official’s subjective awareness of a risk “is a question of fact subject to demonstration in the usual ways, including inference from circumstantial evidence, and a factfinder may conclude that a prison official knew of a substantial risk from the very fact that the risk was obvious.” *Id.* at 842. Plaintiff has not alleged any facts showing which prison officials were aware of the issue and how they responded. The Court finds that Plaintiff has not stated a claim upon which relief can be granted. Plaintiff’s complaint is dismissed with leave to amend as directed below to permit Plaintiff the opportunity to clarify his allegations and provide any additional information he desires the Court to consider. Plaintiff’s Motion to Request Counsel (Doc. 5) Plaintiff has no constitutional or statutory right to counsel in this case. In considering the Plaintiff’s motion, the court asks: (1) has the indigent Plaintiff made a reasonable attempt to obtain counsel or been effectively precluded from doing so; and if so, (2) given the difficulty of the case, does the plaintiff appear competent to litigate it himself? *Pruitt v. Mote*, 503 F.3d 647, 654-55 (7th Cir. 2007). Plaintiff has not shown that he made a reasonable effort to obtain counsel on his own. A plaintiff usually does this by attaching copies of letters sent to attorneys seeking representation and copies of any responses received. Because Plaintiff has not satisfied the first prong, the Court does not address the second. *Eagan v. Dempsey*, 987 F.3d 667, 682 (7th Cir. 2021). Plaintiff’s motion is denied with leave to renew. IT IS THEREFORE ORDERED: 1) Plaintiff's complaint is dismissed for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) and 28 U.S.C. § 1915A. Plaintiff shall have 30 days from the entry of this order to file an amended complaint. Failure to file an amended complaint will result in the dismissal of this case, with prejudice, for failure to state a claim. Plaintiff's amended complaint will replace Plaintiff's original complaint in its entirety. The amended complaint must contain all allegations against all Defendants. Piecemeal amendments are not accepted. 2) Clerk is directed to send Plaintiff a blank complaint form. 3) Plaintiff’s Motion [5] is DENIED with leave to renew. Entered this 28th day of April, 2026. s/Sara Darrow

SARA DARROW

UNITED STATES DISTRICT JUDGE