

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Robert Annabel, II v. Norbert Fronczak

Annabel · No. 23-cv-12346 · Decided February 4, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan overruled both parties’ objections to a magistrate judge’s report and recommendation in a prisoner First Amendment retaliation action. The court held that a material dispute of fact remained regarding whether the defendant’s threats to restrict law-library access were caused by the plaintiff’s prior grievances, while agreeing that assistance to another prisoner was not independently protected conduct under the circumstances. The court adopted the report and recommendation and denied the defendant’s motion for summary judgment.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Robert J. White
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	February 4, 2026
DOCKET	23-cv-12346
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff brought a First Amendment retaliation claim against a prison assistant law librarian. After the magistrate judge recommended denying defendant's motion for summary judgment, both parties filed objections. The district court reviewed the objections de novo, overruled both objections, adopted the report and recommendation, and denied summary judgment.
STANDARD OF REVIEW	The district court reviewed properly made objections to the magistrate judge's report and recommendation de novo under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3). Summary judgment was appropriate only if there was no genuine dispute of material fact and the movant was entitled to judgment as a matter of law.

PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Robert Annabel, II v. Norbert Fronczak

TOPICS

first amendment prisoners rights civil rights summary judgment qualified immunity

PRACTICE AREAS

Civil rights constitutional law prisoner litigation federal civil procedure

QUESTIONS PRESENTED

1. Whether Annabel's assistance to another prisoner in preparing grievances constituted protected First Amendment conduct.
2. Whether a genuine dispute of material fact existed as to whether Annabel's own prior grievances were the but-for cause of Fronczak's alleged retaliatory threats.
3. Whether Fronczak was entitled to qualified immunity.
4. Whether the magistrate judge improperly excluded or treated as irrelevant a misconduct report attached to Annabel's summary-judgment response.

HOLDINGS

1. An inmate generally has no independent First Amendment right to help other prisoners with their grievances, unless the prisoner receiving assistance would otherwise be unable to pursue legal redress. Annabel's assistance to Campisi did not fall within that exception.
2. Summary judgment was improper because a genuine dispute of material fact existed as to whether Annabel's prior grievances were the but-for cause of Fronczak's alleged retaliatory threats.
3. Fronczak was not entitled to qualified immunity at the summary-judgment stage.
4. The objection was overruled because the magistrate judge's statement that the misconduct report had no place in the present analysis did not determine its admissibility at trial.

KEY QUOTATIONS

“But an inmate does not generally have an independent right to help other prisoners with their grievances.”
(PageID.652-653)

“To prevail on a First Amendment retaliation claim, the plaintiff “must establish a ‘causal connection’ between the government defendant’s ‘retaliatory animus’ and the plaintiff’s ‘subsequent injury.’”
(PageID.685)

“And because “temporal proximity by itself is not sufficient to show a causal connection” and is not “strictly necessary” to a retaliation claim, the time between Annabel’s last grievance against Fronczak and the August 29 incident does not necessarily diminish a retaliatory motive.” (PageID.686)

FACTUAL BACKGROUND

Annabel, an incarcerated prisoner at Macomb Correctional Facility, filed numerous grievances against Assistant Law Librarian Norbert Fronczak and helped another prisoner, Devin Campisi, prepare grievances. On August 29, 2023, Fronczak allegedly threatened to restrict Annabel's and Campisi's law-library access or issue them misconduct tickets if Campisi filed additional grievances prepared by Annabel or if Annabel filed additional grievances himself. Annabel perceived the threats as sufficiently adverse to deter further grievances, and he had filed at least ten grievances against Fronczak before the incident.

PROCEDURAL HISTORY

Annabel sued Fronczak under the First Amendment, alleging retaliation for filing his own grievances and assisting another prisoner with grievances. The case was referred to Magistrate Judge Kimberly G. Altman, who recommended denial of Fronczak's summary-judgment motion based on factual disputes concerning causation and rejected qualified immunity. Both parties objected. The district court overruled the objections, adopted the report and recommendation, and denied the motion.

DISPOSITION

denied

CASES CITED

- *Pearce v. Chrysler Grp. LLC Pension Plan*, 893 F.3d 339, 346 (6th Cir. 2018)
- *Shaw v. Murphy*, 532 U.S. 223, 226-227, 231-232 (2001)
- *Heyward v. Cooper*, 88 F.4th 648, 658 (6th Cir. 2023)
- *Herron v. Harrison*, 203 F.3d 410, 415 (6th Cir. 2000)
- *Nieves v. Bartlett*, 587 U.S. 391, 398 (2019)
- *Hartman v. Moore*, 547 U.S. 250, 259 (2006)
- *Reynolds-Bey v. Harris*, 428 Fed. App'x 493, 504 (6th Cir. 2011)