

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Jonathan Russo v. Kenneth Reisinger, et al.

Russo · No. 1:25-CV-1772 · Decided March 4, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania grants defendants’ partial motion to dismiss in this prisoner civil rights action under 42 U.S.C. § 1983. The court dismisses all claims against defendants Hileman and Snyder for lack of personal involvement and immunity, dismisses the access-to-courts claim against Reisinger for failure to allege actual injury, and dismisses official-capacity punitive-damages claims. The action proceeds against Reisinger on excessive force, assault, battery, due process, and retaliation claims.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Keli M. Neary
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 4, 2026
DOCKET	1:25-CV-1772
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a prisoner civil-rights action under 42 U.S.C. § 1983. Defendants moved for partial dismissal under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true, construes the complaint in the plaintiff's favor, and determines whether, under any reasonable reading, the plaintiff may be entitled to relief. Well-pleaded facts are accepted as true, but legal conclusions are disregarded; the remaining facts must plausibly show entitlement to relief.
PRECEDENTIAL VALUE	Unpublished district court memorandum; precedential status not stated.

TOPICS

- section 1983
- prisoners rights
- motions to dismiss
- personal jurisdiction
- civil rights

PRACTICE AREAS

civil rights

prisoner civil rights

constitutional law

federal civil procedure

torts

QUESTIONS PRESENTED

1. Whether the claims against supervisory defendants Hileman and Snyder should be dismissed for failure to allege their personal involvement in the asserted constitutional violations.
2. Whether Hileman and Snyder were immune from Russo's state-law assault and battery claims under the Pennsylvania Subdivision Tort Claims Act.
3. Whether Russo adequately pleaded an access-to-courts claim against Reisinger by alleging actual injury to a nonfrivolous legal claim.
4. Whether punitive damages may be recovered against defendants in their official capacities.
5. Whether the remaining due-process and retaliation claims against Reisinger should be dismissed when defendants did not substantively brief dismissal of those claims.

HOLDINGS

1. A supervisory defendant cannot be held liable under Section 1983 solely because of the defendant's supervisory role. The complaint must allege personal direction, actual knowledge and acquiescence, or a policy or practice that directly caused the constitutional injury.
2. Hileman and Snyder were immune from Russo's state-law assault and battery claims because the complaint did not allege facts bringing their conduct within an exception to Pennsylvania local-government employee immunity or showing that they committed willful misconduct or another statutory exception.
3. A prisoner asserting denial of access to the courts must allege that prison officials impeded access and that the plaintiff suffered an actual injury to the pursuit of a nonfrivolous or arguable legal claim. Russo's speculative allegations that better attorney access might have produced a faster or more favorable criminal result were insufficient.
4. Punitive damages are unavailable against defendants in their official capacities.
5. The court declined to dismiss the due-process and retaliation claims against Reisinger because defendants forfeited any dismissal argument by failing to substantively brief those claims.

KEY QUOTATIONS

"A defendant cannot be liable for a violation of a plaintiff's civil rights unless the defendant was personally involved in the violation." (III.A)

"Russo's complaint plainly fails to allege an actual injury to his access to the courts." (III.A)

"The motion for partial dismissal is granted, and the complaint will be dismissed except to the extent that it states excessive force, assault, battery, due process, and retaliation claims against defendant Reisinger." (IV)

FACTUAL BACKGROUND

Russo, a prisoner at Adams County Adult Correctional Complex, alleged that Reisinger denied him witnesses, documents, and preparation materials during several disciplinary hearings and interfered with his legal calls and access to grievance materials. Russo further alleged that Reisinger ordered officers to restrain him during a February 2024 disciplinary hearing, performed a takedown that caused facial injuries and a concussion, and later assaulted him at a hospital. As to Hileman and Snyder, Russo alleged only that they were made aware of Reisinger's conduct and failed to remedy it. Russo also alleged that restrictions on attorney calls impaired his criminal defense, but did not identify a specific nonfrivolous legal claim that he was unable to pursue.

PROCEDURAL HISTORY

Russo filed the action on September 13, 2025, and the complaint was docketed on September 23, 2025. Defendants moved to dismiss claims against Hileman and Snyder, the access-to-courts claim against Reisinger, and the request for punitive damages against defendants in their official capacities. The court granted partial dismissal, denied leave to amend the dismissed claims as futile, and allowed excessive-force, assault, battery, due-process, and retaliation claims against Reisinger to proceed.

DISPOSITION

other

CASES CITED

- Phillips v. County of Allegheny, 515 F.3d 224, 233 (3d Cir. 2008)
- Pinker v. Roche Holdings, Ltd., 292 F.3d 361, 374 n.7 (3d Cir. 2002)
- Mayer v. Belichick, 605 F.3d 223, 230 (3d Cir. 2010)
- Pension Benefit Guaranty Corp. v. White Consolidated Industries, Inc., 998 F.2d 1192, 1196 (3d Cir. 1993)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 556 (2007)
- Santiago v. Warminster Township, 629 F.3d 121, 130-32 (3d Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 675, 678-79 (2009)
- Fowler v. UPMC Shadyside, 578 F.3d 203, 210-11 (3d Cir. 2009)
- Sause v. Bauer, 585 U.S. 957, 960 (2018)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Gonzaga University v. Doe, 536 U.S. 273, 284-85 (2002)
- Kneipp v. Tedder, 95 F.3d 1199, 1204 (3d Cir. 1996)
- Mark v. Borough of Hatboro, 51 F.3d 1137, 1141 (3d Cir. 1995)
- Emil Jutrowski v. Township of Riverdale, Jutrowski v. Township of Riverdale, 904 F.3d 280, 289 (3d Cir. 2018)
- Rode v. Dellarciprete, 845 F.2d 1195, 1207 (3d Cir. 1988)
- Dooley v. Wetzel, 957 F.3d 366, 374 (3d Cir. 2020)
- A.M. ex rel. J.M.K. v. Luzerne County Juvenile Detention Center, 372 F.3d 572, 586 (3d Cir. 2004)

- Sample v. Diecks, 885 F.2d 1099, 1118 (3d Cir. 1989)
- McNeal v. City of Easton, 598 A.2d 638, 642 (Pa. Commw. Ct. 1991)
- Lewis v. Casey, 518 U.S. 343, 351 (1996)
- Rivera v. Monko, 37 F.4th 909, 915 (3d Cir. 2022)
- Monroe v. Beard, 536 F.3d 198, 205 (3d Cir. 2008)
- Kentucky v. Graham, 473 U.S. 159, 167 n.13 (1985)
- Phillips v. County of Allegheny, 515 F.3d 224, 245 (3d Cir. 2008)

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