

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Allen Brown, Jr. v. Wexford Health Sources, Inc., et al.

Brown · No. 3:23-cv-00107-SPM · Decided November 21, 2025

SUMMARY

The United States District Court for the Southern District of Illinois denied Allen Brown, Jr.’s motion for leave to amend his complaint and granted a motion to dismiss filed by Rob Jeffreys, William Puga, and Melvin Hinton. The court held that Brown could not relate his claims against Dr. Steven Bowman, Jeffreys, Puga, or Hinton back to the original complaint and dismissed those claims with prejudice. The court ordered the Clerk to terminate Bowman, Jeffreys, Puga, and Hinton as named defendants.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Stephen P. McGlynn
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	November 21, 2025
DOCKET	3:23-cv-00107-SPM
DISPOSITION	other
PROCEDURAL POSTURE	The district court considered Plaintiff's motion for leave to file an amended complaint and Defendants' Rule 12(b)(6) motion to dismiss claims against Rob Jeffreys, William Puga, and Melvin Hinton.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is reviewed under the standards of undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, and futility. For Rule 12(b)(6), the court accepts well-pleaded facts as true, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a facially plausible claim.
PRECEDENTIAL VALUE	Federal district court memorandum order; precedential status not established in the source.

TOPICS

- motion to amend
- motions to dismiss
- statute of limitations
- service of process
- section 1983

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

health law

QUESTIONS PRESENTED

1. Whether Brown could amend the operative complaint to substitute IDOC Medical Director Dr. Steven Bowman for Dr. Louis Shicker under Federal Rule of Civil Procedure 15.
2. Whether the proposed claims against Bowman could relate back under Federal Rule of Civil Procedure 15(c)(1)(C) despite the delay, lack of timely notice, and statute-of-limitations concerns.
3. Whether claims against Rob Jeffreys, William Puga, and Melvin Hinton could relate back to Brown's original complaint under Rule 15(c)(1)(C).
4. Whether the claims against Jeffreys, Puga, and Hinton should be dismissed based on alleged untimely service and failure to satisfy Rule 15(c)(1)(C).

HOLDINGS

1. Leave to amend was properly denied because Brown's unexcused delay, repeated opportunities to amend, failure to timely identify and serve Bowman, and inability to show that amendment would not cause undue prejudice made the proposed amendment improper under Rule 15(a)(2).
2. The claims against Bowman could not relate back to the original complaint because Brown failed to show that Bowman received the required notice within the applicable period or that Bowman and Shicker shared the required identity of interest.
3. The claims against Jeffreys, Puga, and Hinton could not relate back to the original complaint because Brown failed to establish the notice required by Rule 15(c)(1)(C) and failed to show that amendment would not cause undue prejudice.
4. The court did not reach whether the claims against Jeffreys, Puga, and Hinton were substantively sufficient under Rule 12(b)(6) because the claims were dismissed on relation-back and prejudice grounds.

KEY QUOTATIONS

“Ultimately, the decision to grant or deny a motion to file and amended pleading is a matter purely within the sound discretion of the district court.” (Analysis, Applicable Law and Legal Standards)

“The purpose of a motion to dismiss is to test the sufficiency of the complaint, not to decide the merits.” (Analysis, Applicable Law and Legal Standards)

“Brown’s claims against Defendants Bowman, Jeffreys, Puga, and Hinton are DISMISSED with prejudice.” (Conclusion)

FACTUAL BACKGROUND

Allen Brown, Jr., an IDOC prisoner diagnosed with multiple mental-health conditions, alleged that he was not provided psychotropic medication on six days in October 2021 while incarcerated at Menard Correctional

Center. During and after that period, he engaged in serious self-injurious conduct, including inserting foreign objects into his body and ingesting foreign materials. Brown later asserted Eighth Amendment and Illinois-law claims against prison officials, medical providers, and Wexford Health Sources.

PROCEDURAL HISTORY

Brown filed a pro se § 1983 complaint on January 12, 2023. After preliminary screening, amendment, discovery, and prior dispositive-motion proceedings, the operative Second Amended Complaint was filed on June 18, 2025. Brown sought to substitute Dr. Steven Bowman for Dr. Louis Shicker, while Jeffreys, Puga, and Hinton moved to dismiss. The court denied leave to amend, granted the motion to dismiss, and dismissed the claims against Bowman, Jeffreys, Puga, and Hinton with prejudice.

DISPOSITION

other

CASES CITED

- Bausch v. Stryker Corp., 630 F.3d 546, 562 (7th Cir. 2010)
- Airborne Beepers & Video, Inc. v. AT&T Mobility LLC, 499 F.3d 663, 666 (7th Cir. 2007)
- McDaniel v. Loyola Univ. Med. Ctr., 317 F.R.D. 72, 76-77 (N.D. Ill. 2016)
- Soltys v. Costello, 520 F.3d 737, 743 (7th Cir. 2008)
- Dubicz v. Commonwealth Edison Co., 377 F.3d 787, 792 (7th Cir. 2004)
- Doherty v. Davy Songer, Inc., 195 F.3d 919, 927 (7th Cir. 1999)
- King v. Cooke, 26 F.3d 720, 723-724 (7th Cir. 1994)
- J.P. Morgan Chase Bank, N.A. v. Drywall Serv. & Supply Co., 265 F.R.D. 341, 347 (N.D. Ind. 2010)
- Sanders v. Venture Stores, Inc., 56 F.3d 771, 775 (7th Cir. 1995)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Bible v. United Student Aid Funds, Inc., 799 F.3d 633, 639 (7th Cir. 2015)
- Olson v. Champaign County, 784 F.3d 1093, 1099 (7th Cir. 2015)
- Tamayo v. Blagojevich, 526 F.3d 1074, 1081 (7th Cir. 2008)
- Gibson v. City of Chicago, 910 F.2d 1510, 1520 (7th Cir. 1990)
- Kazmer v. Bayer Healthcare Pharms., Inc., No. 2:07-CV-112-TS, 2007 WL 4148003, at *5 (N.D. Ind. Nov. 19, 2007)
- Davenport v. Dovgin, 545 F. App'x 535, 539 (7th Cir. 2013)
- Singletary v. Pennsylvania Department of Corrections, 266 F.3d 186 (3d Cir. 2001)
- Orr v. Shicker, 953 F.3d 490, 494 (7th Cir. 2020)
- Garvin v. City of Philadelphia, 354 F.3d 215, 227 (3d Cir. 2003)
- Cleveland-Perdue v. Brutsche, 881 F.2d 427 (7th Cir. 1989)

- McGee v. Macon County Sheriff's Department, 2017 U.S. Dist. LEXIS 233598, at *4 (C.D. Ill. Apr. 10, 2017)
- Beale v. Revolution Portfolio, LLC, No. 07 C 6909, 2008 U.S. Dist. LEXIS 82482, at *5 (N.D. Ill. Oct. 16, 2008)
- Foster v. Ghosh, No. 11 C 5623, 2012 U.S. Dist. LEXIS 132587, at *5 (N.D. Ill. Sept. 14, 2012)

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