

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Colonel Preston Long III v. Andrew Moultrie, et al.

Civ. No. DLB-25-175 · No. Civ. No. DLB-25-175 · Decided March 18, 2026

SUMMARY

The United States District Court for the District of Maryland dismisses without prejudice a pro se prisoner’s 42 U.S.C. § 1983 claims alleging deliberate indifference to serious medical needs in violation of the Eighth Amendment. The court concludes that the allegations against the named medical defendants do not plausibly establish subjective recklessness or disregard of necessary medical care. The court also denies the plaintiff’s motions to appoint counsel and to collect or test evidence.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Deborah L. Boardman
JURISDICTION	United States District Court for the District of Maryland
DECIDED	March 18, 2026
DOCKET	Civ. No. DLB-25-175
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action alleging that prison medical personnel were deliberately indifferent to his serious medical needs in violation of the Eighth Amendment. Defendants moved to dismiss or, alternatively, for summary judgment. The court construed the motions as motions to dismiss under Rule 12(b)(6), granted them, dismissed all claims without prejudice, and denied plaintiff's motions to appoint counsel and to collect or test evidence.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded allegations as true and draws reasonable inferences in the plaintiff's favor, but does not accept legal conclusions, unwarranted inferences, or conclusory allegations. A pro se complaint is liberally construed but must still contain sufficient facts to state a plausible claim for relief. The court's review generally is limited to the pleadings, documents attached to or incorporated into the complaint, judicially noticed facts, and documents integral to the complaint.

PRECEDENTIAL VALUE	unknown
PARTIES	Colonel Preston Long III v. Andrew Moultrie, Bernard Alenda, Damon Fayall, Seyyed “Masoud” Djahanmir, Dr. Chifron, Amber Knoll, Brandy Shade, Medical Director Michelle, Dr. Rhozia, Jane Doe

TOPICS

prisoners rights

section 1983

cruel and unusual punishment

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether Long plausibly stated an Eighth Amendment deliberate-indifference claim under 42 U.S.C. § 1983 against the named prison medical personnel.
2. Whether the allegations against the unserved defendants Doe, Dr. Chifron, Medical Director Michelle, and Dr. Rhozia stated claims subject to screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A.
3. Whether Long's motion to collect or test evidence should be granted when the requested evidence concerned alleged assaults not included in the operative complaint.
4. Whether exceptional circumstances warranted appointment of counsel.

HOLDINGS

1. Long failed to plausibly allege that Knoll or Shade deliberately disregarded a serious medical need. His allegations showed, at most, insensitive treatment, an unhelpful referral, or an unexplained failure to provide emergency care, without facts establishing reckless disregard.
2. Long failed to plausibly allege deliberate indifference by Dr. Moultrie, Alenda, Fayall, or Dr. Djahanmir.
3. The claims against Doe, Dr. Chifron, Medical Director Michelle, and Dr. Rhozia failed to state claims for deliberate indifference and were dismissed without prejudice.
4. The motion to collect or test evidence was denied because the requested evidence concerned alleged physical or sexual assaults by correctional officers, matters outside the medical-care allegations in the operative complaint.
5. Appointment of counsel was denied because Long did not demonstrate exceptional circumstances.

KEY QUOTATIONS

“Deliberate indifference is a very high standard—a showing of mere negligence will not meet it.” (Discussion III)

“True subjective recklessness requires knowledge both of the general risk, and also that the conduct is inappropriate in light of that risk.” (Discussion III)

“The motions to dismiss or, in the alternative, for summary judgment, construed as motions to dismiss, are granted. Long’s claims against all defendants are dismissed without prejudice.” (Conclusion)

FACTUAL BACKGROUND

Long, a Maryland prisoner, alleged that correctional officers assaulted him in September 2023, causing a protruding clavicle bone, impaired mobility, breathing problems, chronic pain, and other conditions. He alleged that numerous prison medical personnel failed to provide referrals, testing, hospital care, specialist treatment, or adequate responses to his complaints at several correctional institutions. The court assumed for some claims that Long alleged objectively serious medical needs but found that his allegations generally did not plausibly show that any defendant subjectively knew of and recklessly disregarded a serious medical risk.

PROCEDURAL HISTORY

Long filed the action on January 16, 2025. A second action, Long v. Moultrie et al., No. DLB-25-957, was consolidated with this case, and its complaint became the operative consolidated amended complaint. Defendants filed two dispositive motions, which the court construed as motions to dismiss. The court dismissed all claims without prejudice and denied Long's ancillary motions.

DISPOSITION

dismissed

CASES CITED

- Goines v. Valley Community Services Board, 822 F.3d 159, 167 (4th Cir. 2016)
- Griffin v. Baltimore Police Department, 804 F.3d 692, 694-95 (4th Cir. 2015)
- Robertson v. Anderson Mill Elementary School, 989 F.3d 282, 290 (4th Cir. 2021)
- Lokhova v. Halper, 995 F.3d 134, 141 (4th Cir. 2021)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Holloway v. Maryland, 32 F.4th 293, 299 (4th Cir. 2022)
- International Refugee Assistance Project v. Trump, 961 F.3d 635, 648 (4th Cir. 2020)
- Jesus Christ Is the Answer Ministries, Inc. v. Baltimore County, 915 F.3d 256, 263 (4th Cir. 2019)
- Houck v. Substitute Trustee Services, Inc., 791 F.3d 473, 484 (4th Cir. 2015)
- Williams v. Kincaid, 45 F.4th 759, 765 (4th Cir. 2022)
- King v. Rubenstein, 825 F.3d 206, 212, 214 (4th Cir. 2016)
- United States ex rel. Taylor v. Boyko, 39 F.4th 177, 189 (4th Cir. 2022)
- United States ex rel. Nathan v. Takeda Pharmaceuticals North America, Inc., 707 F.3d 451, 455 (4th Cir. 2013)
- Sheppard v. Visitors of Virginia State University, 993 F.3d 230, 234 (4th Cir. 2021)
- ACA Financial Guaranty Corp. v. City of Buena Vista, 917 F.3d 206, 212 (4th Cir. 2019)
- Ray v. Roane, 948 F.3d 222, 226 (4th Cir. 2020)

- Tobey v. Jones, 706 F.3d 379, 387 (4th Cir. 2013)
- Zak v. Chelsea Therapeutics International, Ltd., 780 F.3d 597, 606-07 (4th Cir. 2015)
- Folkes v. Nelsen, 34 F.4th 258, 272 (4th Cir. 2022)
- Bing v. Brivo Systems, LLC, 959 F.3d 605, 618 (4th Cir. 2020)
- Williams v. Ozmint, 716 F.3d 801, 805 (4th Cir. 2013)
- Laber v. Harvey, 438 F.3d 404, 413 n.3 (4th Cir. 2006) (en banc)
- Thomas v. Salvation Army Southern Territory, 841 F.3d 632, 637 (4th Cir. 2016)
- City of Monterey v. Del Monte Dunes at Monterey, Ltd., 526 U.S. 687, 707 (1999)
- Albright v. Oliver, 510 U.S. 266, 271 (1994)
- Baker v. McCollan, 443 U.S. 137, 144 n.3 (1979)
- West v. Atkins, 487 U.S. 42, 45 n.3, 48 (1988)
- Thompson v. Virginia, 878 F.3d 89, 97 (4th Cir. 2017)
- Estelle v. Gamble, 429 U.S. 97, 102-03, 106 (1976)
- Anderson v. Kingsley, 877 F.3d 539, 543 (4th Cir. 2017)
- Farmer v. Brennan, 511 U.S. 825, 834-37, 839-40, 844 (1994)
- Rich v. Bruce, 129 F.3d 336, 340 n.2 (4th Cir. 1997)
- Brice v. Virginia Beach Correctional Center, 58 F.3d 101, 105 (4th Cir. 1995)
- Scinto v. Stansberry, 841 F.3d 219, 225-26 (4th Cir. 2016)
- Makdessi v. Fields, 789 F.3d 126, 133 (4th Cir. 2015)
- Cox v. Quinn, 828 F.3d 227, 236 (4th Cir. 2016)
- Brown v. Harris, 240 F.3d 383, 390 (4th Cir. 2001)
- Liebe v. Norton, 157 F.3d 574, 577 (8th Cir. 1998)
- Wright v. Collins, 766 F.2d 841, 849 (4th Cir. 1985)
- S. Walk at Broadlands Homeowner's Ass'n, Inc. v. OpenBand at Broadlands, LLC, 713 F.3d 175, 184 (4th Cir. 2013)
- Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975)
- Branch v. Cole, 686 F.2d 264, 266 (5th Cir. 1982)
- Giddings v. Montgomery County, No. GJH-21-959, 2021 WL 5921382, at *1 (D. Md. Dec. 15, 2021)
- Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir. 1984)
- Mallard v. United States District Court, 490 U.S. 296, 298 (1989)
- Tyson v. Capital One, N.A., No. DLB-25-1794, 2025 WL 3166795, at *3 (D. Md. Nov. 13, 2025)