

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Julian Devell Grady v. Mayes and Hensley

Grady · No. 3:24-CV-662-JTM-AZ · Decided January 20, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denied defendants’ motion for summary judgment in Julian Devell Grady’s Eighth Amendment claims concerning alleged excessive force and denial of medical care. The court found a genuine factual dispute over whether Grady submitted a grievance and follow-up notice, potentially rendering administrative remedies unavailable, and stated that a Pavey hearing would be scheduled only if requested.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	James T. Moody
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	January 20, 2026
DOCKET	3:24-CV-662-JTM-AZ
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff prisoner brought Eighth Amendment excessive-force and deliberate-indifference claims. Defendants moved for summary judgment on the affirmative defense that Grady failed to exhaust administrative remedies under the Prison Litigation Reform Act. Defendants also moved to strike supplemental evidence and an unauthorized surreply.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court construes facts and reasonable inferences in favor of the nonmoving party and may not resolve a genuine factual dispute on summary judgment.
PRECEDENTIAL VALUE	unpublished
PARTIES	Julian Devell Grady v. Katrina Mayes, Megan Hensley

TOPICS

summary judgment

prisoners rights

affirmative defenses

civil procedure

section 1983

PRACTICE AREAS

civil procedure

prisoner civil rights

summary judgment

administrative exhaustion

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment on the ground that Grady failed to exhaust available administrative remedies under 42 U.S.C. § 1997e(a).
2. Whether the alleged failure of prison officials to respond to Grady's grievance and follow-up notice made the administrative-remedy process unavailable.
3. Whether defendants' motions to strike Grady's supplemental evidence and unauthorized surreply should be granted.
4. Whether resolution of the exhaustion dispute required a Pavey hearing.

HOLDINGS

1. Summary judgment was denied because a genuine dispute of material fact exists concerning whether Grady submitted the July 11 grievance and August 14 Request for Interview form to the grievance office.
2. An administrative remedy is unavailable when prison employees fail to respond to a properly submitted grievance or required follow-up notice, and the failure leaves the prisoner without a further available remedy to exhaust.
3. Resolving the disputed question of whether Grady submitted the grievance and follow-up notice would require a Pavey hearing, but the court would not schedule one unless defendants requested it.
4. The motions to strike were denied. The supplemental evidence was permitted because it directly responded to an argument raised in defendants' reply and assisted the court, while the unauthorized surreply was denied as moot because it did not affect the disposition.

KEY QUOTATIONS

“Summary judgment must be granted when “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“If Grady did submit these two documents to the grievance office, the defendants’ summary judgment motion will be denied because the Grievance Specialist made Grady’s administrative remedies unavailable by failing to respond to these documents; if Grady did not submit these two documents to the grievance office, the defendants’ summary judgment motion will be granted because Grady had available remedies he did not exhaust before filing this lawsuit.”

FACTUAL BACKGROUND

Grady alleged that on July 10, 2022, Sergeant Katrina Mayes continued closing a food slot while his finger was caught in it, causing severe injury, and that Mayes and Lieutenant Megan Hensley failed to obtain medical

treatment. Grady submitted evidence that he filed a grievance on July 11, 2022, and a Request for Interview form on August 14, 2022, stating that he had received no receipt or response. The grievance specialist stated that the office never received a grievance concerning these claims, creating a factual dispute over whether Grady submitted the documents and whether administrative remedies were available to him.

PROCEDURAL HISTORY

The case was pending in the Northern District of Indiana after Grady was permitted to proceed on two Eighth Amendment claims against prison officials. Defendants moved for summary judgment based on failure to exhaust administrative remedies. The court found a genuine factual dispute over whether Grady submitted a grievance and follow-up notice that the prison grievance office allegedly ignored, denied summary judgment, denied the motions to strike, and stated that a Pavey hearing would be scheduled only if defendants requested one.

DISPOSITION

other

CASES CITED

- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)
- *Heft v. Moore*, 351 F.3d 278, 282 (7th Cir. 2003)
- *Goodman v. National Security Agency, Inc.*, 621 F.3d 651, 654 (7th Cir. 2010)
- *Perez v. Wisconsin Department of Corrections*, 182 F.3d 532, 535 (7th Cir. 1999)
- *King v. McCarty*, 781 F.3d 889, 893 (7th Cir. 2015)
- *Lockett v. Bonson*, 937 F.3d 1016, 1025 (7th Cir. 2019)
- *Woodford v. Ngo*, 548 U.S. 81, 102 (2006)
- *Kaba v. Stepp*, 458 F.3d 678, 684 (7th Cir. 2006)
- *Dole v. Chandler*, 438 F.3d 804, 809 (7th Cir. 2006)
- *Pavey v. Conley*, 544 F.3d 739 (7th Cir. 2008)
- *Perttu v. Richards*, 650 U.S. 460 (2025)

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