

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Derek Lee Mills v. Ms. Brittain, et al.

Mills · No. 3:26-CV-00152 · Decided February 26, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania dismissed Derek Lee Mills’s pro se prisoner complaint as legally and factually frivolous under 28 U.S.C. § 1915(e)(2). The court rejected his constitutional claims concerning alleged sexual exhibition by prison staff, confiscation of writings, and disciplinary proceedings, declined supplemental jurisdiction over state-law claims, and closed the case without prejudice to pursuing those claims in state court.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Karoline Mehalchick
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	February 26, 2026
DOCKET	3:26-CV-00152
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se prisoner proceeding in forma pauperis brought federal constitutional and state-law claims against prison employees. The district court screened the complaint under 28 U.S.C. § 1915(e)(2) and dismissed it as legally and factually frivolous, closing the case without prejudice to pursuing state-law claims in state court.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915(e)(2), which requires dismissal of an in forma pauperis action at any time if it is frivolous or malicious.
PRECEDENTIAL VALUE	unpublished
PARTIES	Derek Lee Mills v. Ms. Brittain, et al.

TOPICS

- prisoners rights
- civil rights
- motions to dismiss
- due process
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint was frivolous or malicious and therefore subject to dismissal under 28 U.S.C. § 1915(e)(2)(B)(i).
2. Whether alleged sexual harassment without physical contact or touching stated an Eighth Amendment claim.
3. Whether alleged violations of a Department of Corrections dress-code or other prison policy stated a federal constitutional claim.
4. Whether Mills could relitigate a prison disciplinary sanction by characterizing it as retaliation or plausibly state a due-process claim concerning the sanction and confiscation of writings.
5. Whether the court should exercise supplemental jurisdiction over the state-law claims after dismissing all federal claims.
6. Whether amendment would be futile.

HOLDINGS

1. The complaint was legally and factually frivolous because its allegations that numerous prison employees engaged in prolonged sexual exhibition and that their uniforms threatened prison safety were fanciful and clearly baseless, and the allegations appeared intended to embarrass or abuse the defendants rather than assert a genuine entitlement to legal relief.
2. Alleged sexual harassment without contact or touching does not amount to cruel and unusual punishment under the Eighth Amendment.
3. Mills could not bring a constitutional claim in federal court merely to enforce a prison dress code or other Department of Corrections policy.
4. The complaint did not plausibly state retaliation or due-process claims based on the confiscation of Mills's writings and the resulting disciplinary sanction, and Mills could not relitigate the sanction by labeling it retaliation.
5. The court declined to exercise supplemental jurisdiction over Mills's negligence and intentional-infliction-of-emotional-distress claims after dismissing all federal claims before trial.
6. Amendment of the complaint would be futile, so dismissal without leave to amend was appropriate.

KEY QUOTATIONS

“A complaint is frivolous “if the facts alleged are ‘clearly baseless,’ a category encompassing allegations that are ‘fanciful,’ ‘fantastic,’ [or] ‘delusional’.” (Section II)

“sexual harassment in the absence of contact or touching” (Section III)

“must decline” (Section III)

FACTUAL BACKGROUND

Mills alleged that female officers at SCI-Frackville wore tight or revealing clothing in an effort to sexually arouse prisoners and that this conduct created an abusive prison environment. He reported the alleged conduct and documented it in writings that were confiscated after prison staff determined that the writings contained detailed descriptions of violent sexual acts and sexually harassed or threatened female officers. Mills received a misconduct charge and disciplinary sanction, then asserted First, Eighth, and Fourteenth Amendment claims along with negligence and intentional-infliction-of-emotional-distress claims.

PROCEDURAL HISTORY

Mills filed a complaint naming 23 defendants and sought leave to proceed in forma pauperis. The court determined that the allegations were frivolous and that no plausible federal claim was stated. It further declined supplemental jurisdiction over the state-law claims and found amendment futile.

DISPOSITION

dismissed

CASES CITED

- Walker v. Sec. Office of SCI Coal Twp., Civil No. 3:CV-08-1573, 2010 WL 1177338, at *4 (M.D. Pa. Mar. 25, 2010)
- Denton v. Hernandez, 504 U.S. 25, 32 (1992)
- Neitzke v. Williams, 490 U.S. 319, 325, 327-28 (1989)
- Deutsch v. United States, 67 F.3d 1080, 1086 (3d Cir. 1995)
- Kennedy v. Getz, 757 F. App'x 205, 208 (3d Cir. 2018)
- Manon v. Garrison, No. 1:12-CV-0844, 2012 WL 3542328, at *2 (M.D. Pa. Aug. 15, 2012)
- Williams v. Wetzel, 776 F. App'x 49 (3d Cir. 2019)
- Washington v. Salamon, No. 4:21-CV-01746, 2023 WL 8703392, at *5 (M.D. Pa. Dec. 15, 2023)
- Nifas v. Beard, 374 F. App'x 241, 244 (3d Cir. 2010)
- Monroe v. Beard, 536 F.3d 198, 210 (3d Cir. 2008)
- Hudson v. Palmer, 468 U.S. 517, 533 (1984)
- Talley v. Clark, 111 F.4th 255, 266 n.6 (3d Cir. 2024)
- Hedges v. Musco, 204 F.3d 109, 123 (3d Cir. 2000)
- Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002)

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