

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Jamael M. Hubbard v. Naphcare Medical Services

Hubbard · No. 8:25-cv-3494-TPB-TGW · Decided January 13, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed Jamael M. Hubbard’s pro se 42 U.S.C. § 1983 complaint against Naphcare Medical Services for failure to state a claim. The court held that Hubbard did not identify a Naphcare policy or custom causing the alleged constitutional violation and did not plead deliberate indifference to serious medical needs, as opposed to a disagreement over medical judgment. The dismissal was without prejudice, and Hubbard was granted leave to file an amended complaint by February 13, 2026.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	Tom Barber
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 13, 2026
DOCKET	8:25-cv-3494-TPB-TGW
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court screened a pro se prisoner civil-rights complaint under 28 U.S.C. § 1915A and dismissed it without prejudice for failure to state a claim, while granting leave to amend.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915A; the court accepted pro se allegations liberally and assessed whether the complaint stated a plausible claim for relief.
PRECEDENTIAL VALUE	Unpublished district-court order; persuasive but not binding beyond the case.

TOPICS

[section 1983](#) [prisoners rights](#) [due process](#) [pleadings](#) [civil procedure](#)

PRACTICE AREAS

civil rights

prisoner civil rights

constitutional litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether Hubbard stated a § 1983 claim against Naphcare Medical Services by alleging inadequate medical care without identifying an official policy, custom, or practice attributable to Naphcare.
2. Whether Hubbard adequately pleaded deliberate indifference to serious medical needs based on receiving medical treatment that he believed was inadequate.
3. Whether Hubbard should be given leave to amend his deficient pro se complaint.

HOLDINGS

1. A private medical-services provider performing a governmental function is treated like a county for § 1983 purposes and is liable only when an official policy, custom, or practice causes the alleged constitutional violation; Hubbard failed to identify such a policy, custom, or practice.
2. The complaint failed to state a claim for deliberate indifference to serious medical needs because the allegations showed that Hubbard received medical treatment and amounted to a disagreement over diagnosis and treatment, rather than deliberate indifference.
3. The court granted Hubbard an opportunity to amend because this was the first dismissal identifying the pleading deficiencies and a more carefully drafted complaint might cure them.

KEY QUOTATIONS

“Hubbard’s claim fails because he does not identify any specific policy or custom implemented by Naphcare that caused the constitutionally deficient medical care.”

“Because Hubbard alleges nothing more than a disagreement over matters of medical judgment, he fails to state a plausible claim for deliberate indifference to serious medical needs.”

“Accordingly, Hubbard’s complaint is dismissed without prejudice.”

FACTUAL BACKGROUND

Hubbard alleged that after arriving at the Pasco County jail, he complained of an object lodged in his throat, chest and throat pain, blood in his spit, and an ear infection. He submitted multiple sick-call requests and received pain medication, antibiotics, and an EKG; he was later seen by a doctor who said an x-ray would be obtained. Hubbard claimed the treatment was inadequate and that his symptoms continued, but he identified no Naphcare policy or custom causing the alleged constitutional violation.

PROCEDURAL HISTORY

Hubbard filed a pro se complaint under 42 U.S.C. § 1983 against Naphcare Medical Services based on alleged inadequate medical care at the Pasco County jail. Upon screening, the court concluded that the complaint failed to allege a Naphcare policy or custom causing a constitutional violation and failed to plead deliberate

indifference to serious medical needs. The court dismissed without prejudice and allowed Hubbard until February 13, 2026, to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- State v. Hubbard, No. 2018CF4921 (Fla. 6th Jud. Cir.)
- Haines v. Kerner, 404 U.S. 519 (1972)
- Buckner v. Toro, 116 F.3d 450, 452 (11th Cir. 1997)
- Craig v. Floyd Cty., Ga., 643 F.3d 1306, 1310 (11th Cir. 2011)
- Harvey v. Harvey, 949 F.2d 1127, 1130 (11th Cir. 1992)
- Christmas v. Nabors, 76 F.4th 1320, 1331, 1335 (11th Cir. 2023)
- Wade v. McWade, 106 F.4th 1251, 1262 (11th Cir. 2024)
- Hernandez v. Sec'y, Fla. Dep't of Corr., 611 F. App'x 582, 584 (11th Cir. 2015)
- Bingham v. Thomas, 654 F.3d 1171, 1176 (11th Cir. 2011)
- Harris v. Thigpen, 941 F.2d 1495, 1505 (11th Cir. 1991)
- Adams v. Poag, 61 F.3d 1537, 1545 (11th Cir. 1995)
- Culver v. Bayola, MD, No. 18-12968-G, 2019 WL 3247159, at *1 (11th Cir. Feb. 19, 2019)
- Horn v. Estate of Camacho, 817 F. App'x 872, 874 (11th Cir. 2020)
- Auto. Alignment & Body Serv., Inc. v. State Farm Mut. Auto. Ins. Co., 953 F.3d 707, 720–21 (11th Cir. 2020)
- Hertz Corp. v. Alamo Rent-A-Car, Inc., 16 F.3d 1126 (11th Cir. 1994)