

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
INDIANA, SOUTH BEND DIVISION

Phillip DeShawn Laster v. Allen County Community Corrections  
Facility

Laster · No. 3:26cv297 DRL-SJF · Decided March 13, 2026

SUMMARY

The United States District Court for the Northern District of Indiana found that Phillip DeShawn Laster’s prisoner complaint alleging denial of asthma medication failed to state a claim under 28 U.S.C. § 1915A. The court granted him until April 14, 2026, to file an amended complaint and cautioned that the case would otherwise be dismissed without further notice.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Damon R. Leichty                                                                                                                                                                                                                                                                                                                                 |
| JURISDICTION          | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                                                                                                                                                                           |
| DECIDED               | March 13, 2026                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 3:26cv297 DRL-SJF                                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | A pro se prisoner filed a civil-rights complaint alleging denial of constitutionally adequate medical treatment. The district court screened the complaint under 28 U.S.C. § 1915A and found that it failed to state a claim, while granting leave to amend.                                                                                     |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915A, the court must review the merits of a prisoner complaint and dismiss it if it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from an immune defendant. A complaint must contain sufficient factual matter to state a facially plausible claim for relief. |
| PRECEDENTIAL VALUE    | unpublished district court opinion                                                                                                                                                                                                                                                                                                               |

TOPICS

pleadings

prisoners rights

section 1983

health law

civil procedure

## PRACTICE AREAS

civil rights

prisoner litigation

pleading and screening

## QUESTIONS PRESENTED

1. Whether the prisoner complaint stated a plausible claim for constitutionally inadequate medical treatment under the pleading standard applied during screening under 28 U.S.C. § 1915A.
2. Whether the pro se plaintiff should be allowed to amend the deficient complaint rather than have the action dismissed immediately.

## HOLDINGS

1. The complaint failed to state a claim for which relief could be granted because it did not allege sufficient factual matter to make the defendant's liability for the alleged denial of medical treatment plausible.
2. The plaintiff was granted leave to file an amended complaint because the defect might be curable and amendment was not shown to be futile at this early stage.

## KEY QUOTATIONS

*“A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.”*

*“A complaint must contain sufficient factual matter “to state a claim to relief that is plausible on its face.””*

*“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”*

*“Factual allegations must be enough to raise a right to relief above the speculative level, on the assumption that all the allegations in the complaint are true (even if doubtful in fact).”*

*“The usual standard in civil cases is to allow defective pleadings to be corrected, especially in early stages, at least where amendment would not be futile.”*

## FACTUAL BACKGROUND

Laster alleged that he was unable to receive asthma medication from May 12, 2024, through January 4, 2026, while incarcerated in Allen County and housed at the Allen County Community Corrections Facility, where he was able to work. He alleged that the facility had no medical staff. The court found the complaint unclear about whether Laster was required to remain at that facility, who knew of his need for treatment, what those persons did, and why the facility itself was liable or subject to suit.

## PROCEDURAL HISTORY

Phillip DeShawn Laster filed a pro se prisoner complaint concerning the alleged failure to provide asthma medication while he was housed at the Allen County Community Corrections Facility. On screening under 28

U.S.C. § 1915A, the court concluded that the complaint did not state a claim for relief but allowed Laster until April 14, 2026, to file an amended complaint. The court cautioned that failure to amend would result in dismissal without further notice.

## DISPOSITION

other

## CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-556, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-679 (2009)
- Swanson v. Citibank, N.A., 614 F.3d 400, 403 (7th Cir. 2010)
- Abu-Shawish v. United States, 898 F.3d 726, 738 (7th Cir. 2018)

## OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION PHILLIP DESHAWN LASTER, Plaintiff, v. CAUSE NO. 3:26cv297 DRL-SJF ALLEN COUNTY COMMUNITY CORRECTIONS FACILITY, Defendant. OPINION AND ORDER Phillip DeShawn Laster, a prisoner without a lawyer, filed a complaint alleging he was denied constitutionally adequate medical treatment at the Allen County Community Corrections Facility.

ECF 1. “A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” Erickson v. Pardus, 551 U.S. 89, 94 (2007) (quotations and citations omitted). Nevertheless, under 28 U.S.C. § 1915A, the court must review the merits of a prisoner complaint and dismiss it if the action is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief.

Mr. Laster alleges that from May 12, 2024, until January 4, 2026, he was unable to receive asthma medication while incarcerated in Allen County because he was living at the Allen County Community Corrections Facility where he was able to work. He alleges there were no medical staff at the facility. It is unclear whether he was involuntarily forced to stay at the facility despite his medical needs or if he agreed to be there rather than the Allen County Jail (where there are medical staff) so he could work.

It is unclear who knew he required medical treatment that he was not receiving, when they knew it, and what they did about it. It is unclear what he thinks makes the Allen County Community Corrections Facility (rather than individual staff) liable to him and whether it is even a suable

entity. A complaint must contain sufficient factual matter “to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Twombly*, 550 U.S. at 556). “Factual allegations must be enough to raise a right to relief above the speculative level, on the assumption that all the allegations in the complaint are true (even if doubtful in fact).” *Twombly*, 550 U.S. at 555 (quotation marks, citations and footnote omitted). “[When] the well-pleaded facts do not permit the court to infer more than the mere possibility of misconduct, the complaint has alleged—but it has not shown—that the pleader is entitled to relief.” *Iqbal*, 556 U.S. at 679 (quotation marks and brackets omitted).

Thus, “a plaintiff must do better than putting a few words on paper that, in the hands of an imaginative reader, might suggest that something has happened to her that might be redressed by the law.” *Swanson v. Citibank, N.A.*, 614 F.3d 400, 403 (7th Cir. 2010). This complaint does not state a claim for which relief can be granted. If Mr. Laster believes he can state a claim based on (and consistent with) the events described in this complaint, he may file an amended complaint because “[t]he usual standard in civil cases is to allow defective pleadings to be corrected, especially in early stages, at least where amendment would not be futile.” *Abu-Shawish v. United States*, 898 F.3d 726, 738 (7th Cir.

2018). To file an amended complaint, he needs to write this cause number on a Pro Se 14 (INND Rev. 2/20) Prisoner Complaint form, which is available from his law library. He needs to write the word “Amended” on the first page above the title “Prisoner Complaint” and send it to the court after he properly completes the form.

For these reasons, the court: (1) GRANTS Phillip DeShawn Laster until April 14, 2026, to file an amended complaint; and (2) CAUTIONS Phillip DeShawn Laster if he does not respond by the deadline, this case will be dismissed under 28 U.S.C. § 1915A without further notice because the current complaint does not state a claim for which relief can be granted. SO ORDERED.

March 13, 2026 s/ Damon R. Leichty Judge, United States District Court