

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Marozzi v. Catlin

No. 24-CV-6489 (W.D.N.Y. Jan. 8, 2026) · No. 24-CV-6489 · Decided January 8, 2026

SUMMARY

This document is a combined Decision and Order and Report and Recommendation addressing Quentin A. Marozzi’s motion to file a third amended complaint in an action concerning religious dietary accommodations at the Monroe County Jail. The court permits amendment in part, including claims against certain proposed defendants and claims against Blake Catlin, but recommends denying claims based on New York jail regulations and finds the proposed municipal-liability allegations insufficiently pleaded. The document also discusses the magistrate judge’s authority over motions to amend.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Colleen D. Holland
JURISDICTION	United States District Court for the Western District of New York
DECIDED	January 8, 2026
DOCKET	24-CV-6489
DISPOSITION	other
PROCEDURAL POSTURE	Motion to amend complaint for a third time in a pro se prisoner civil rights action
STANDARD OF REVIEW	Plausibility standard for screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A; Rule 15(a)(2) liberal standard for amendment
PRECEDENTIAL VALUE	unpublished

TOPICS

- motion to amend
- civil rights
- section 1983
- personal jurisdiction
- civil procedure

PRACTICE AREAS

- civil rights
- civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff's motion to amend complaint should be granted to add new defendants and claims
2. Whether proposed claims under 9 NYCRR §§ 7024.6 and 7009.4 would state a claim
3. Whether proposed Monell claim against Monroe County would survive
4. Whether proposed defendants Baxter and Vanduzee were sufficiently alleged to be personally involved
5. Whether proposed defendants Rivers and Derosie were sufficiently alleged to be personally involved

HOLDINGS

1. Claims under 9 NYCRR §§ 7024.6 and 7009.4 are futile because those state regulations do not create a private right of action.
2. Plaintiff's proposed amendment to add Monroe County as a defendant is denied as futile because the proposed third amended complaint fails to allege an official policy or custom causing the constitutional deprivation.
3. Adding Baxter and Vanduzee as defendants is denied as futile because Plaintiff fails to allege their personal involvement in the constitutional deprivation.
4. Plaintiff's motion to amend is granted to add Rivers and Derosie as defendants because the proposed third amended complaint sufficiently alleges their participation in the alleged constitutional violations.

KEY QUOTATIONS

“a plaintiff must allege facts tending to support, at least circumstantially, an inference that such a municipal policy or custom exists”

“each Government-official defendant, through the official's own individual actions, has violated the Constitution”

“the review, denial or affirmance of a denial of a grievance is insufficient to establish personal involvement”

FACTUAL BACKGROUND

Plaintiff is a Rastafarian inmate formerly held at Monroe County Jail who alleges that Trinity Service Group and its food service director denied him a diet in keeping with his religious beliefs (the Ital diet requiring organic foods, no pork or additives, and specific breakfast items). He filed grievances which were denied. Plaintiff moved to add Monroe County, the Sheriff, Jail Superintendent, a grievance coordinator, and a religious official as defendants, and to assert claims under New York state regulations.

PROCEDURAL HISTORY

Plaintiff, a pro se prisoner, filed original complaint asserting § 1983 and RLUIPA claims regarding denial of Rastafarian diet. Court screened complaint, dismissed some claims, allowed others to proceed. Plaintiff filed amended complaints; Court rejected second amended complaint as exceeding leave granted. Court screened first amended complaint, dismissed RLUIPA claim as moot, allowed § 1983 claims to proceed. Plaintiff then moved to file third amended complaint adding new defendants and claims.

DISPOSITION

other

CASES CITED

- Buksh v. Sarchino, 736 F. Supp. 3d 221 (D. Vt. 2024)
- J.S. v. T'Kach, 714 F.3d 99 (2d Cir. 2013)
- Int'l Audiotext Network, Inc. v. Am. Tel. & Tel. Co., 62 F.3d 69 (2d Cir. 1995)
- Monell v. Dep't of Soc. Servs. of City of N.Y., 436 U.S. 658 (1978)
- Batista v. Rodriguez, 702 F.2d 393 (2d Cir. 1983)
- Brandon v. City of New York, 705 F. Supp. 2d 261 (S.D.N.Y. 2010)
- Agosto v. N.Y.C. Dep't of Educ., 982 F.3d 86 (2d Cir. 2020)
- Tangreti v. Bachmann, 983 F.3d 609 (2d Cir. 2020)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Lopez v. Chappius, No. 6:17-CV-06305 EAW, 2021 WL 859384 (W.D.N.Y. Mar. 8, 2021)
- Zou v. Han, No. 23-CV-02370-JMA-JMW, 2024 WL 4100221 (E.D.N.Y. Sept. 6, 2024)
- Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC, 797 F.3d 160 (2d Cir. 2015)
- Williams v. Citigroup Inc., 659 F.3d 208 (2d Cir. 2011)
- Foman v. Davis, 371 U.S. 178 (1962)
- Blake Marine Grp., LLC v. Frenkel & Co., 425 F. Supp. 3d 330 (S.D.N.Y. 2019)
- McCarthy v. Dun & Bradstreet Corp., 482 F.3d 184 (2d Cir. 2007)
- Panther Partners Inc. v. Ikanos Commc'ns, Inc., 681 F.3d 114 (2d Cir. 2012)
- Wood v. Mike Bloomberg 2020, Inc., 343 F.R.D. 470 (S.D.N.Y. 2023)
- Zenith Radio Corp. v. Hazeltine Rsch., Inc., 401 U.S. 321 (1971)
- Groves v. Davis, No. 9:11-CV-1317, 2014 WL 4684998 (N.D.N.Y. Sept. 19, 2014)
- Fed. R. Civ. P. 20(a)(2)(A)-(B)
- Ocasio v. City of Canandaigua, 344 F.R.D. 158 (W.D.N.Y. 2022)
- Fed. R. Civ. P. 21
- Fielding v. Tollaksen, 510 F.3d 175 (2d Cir. 2007)
- Jean-Laurent v. Wilkerson, 461 F. App'x 18 (2d Cir. 2012)
- Reed v. City of New York, No. 20-CV-8352 (MMG), 2024 WL 3674852 (S.D.N.Y. Aug. 5, 2024)
- Adams v. Bloomberg L.P., No. 20-CV-7724 (RA) (JLC), 2024 WL 3269274 (S.D.N.Y. July 2, 2024)
- Getman v. Vondracek, 731 F. Supp. 3d 524 (W.D.N.Y. 2024)
- Ackridge v. Aramark Corr. Food Servs., No. 16-CV-6301 (KMK), 2018 WL 1626175 (S.D.N.Y. Mar. 30, 2018)
- Wunner v. Smith, No. 21 CV 1865 (VB), 2022 WL 161463 (S.D.N.Y. Jan. 18, 2022)
- Powlowski v. Wullich, 102 A.D.2d 575 (4th Dep't 1984)

- Spinks v. Doe, No. 24-CV-6607-CJS, 2025 WL 1530763 (W.D.N.Y. May 29, 2025)
- Austin v. Ford Models, Inc., 149 F.3d 148 (2d Cir. 1998)
- Santiago v. City of Rochester, No. 14-CV-6719-FPG, 2022 WL 856780 (W.D.N.Y. Mar. 23, 2022)
- Baumeister v. Erie County, No. 23-CV-1150-LJV, 2024 WL 4362311 (W.D.N.Y. Sept. 30, 2024)
- Torres v. Aramark Food, No. 14-CV-7498 (KMK), 2015 WL 9077472 (S.D.N.Y. Dec. 16, 2015)
- City of St. Louis v. Praprotnik, 485 U.S. 112 (1988)
- Walker v. City of New York, 974 F.2d 293 (2d Cir. 1992)
- Jeffes v. Barnes, 208 F.3d 49 (2d Cir. 2000)
- Dilworth v. Goldberg, 914 F. Supp. 2d 433 (S.D.N.Y. 2012)
- Spavone v. New York State Dep't of Corr. Servs., 719 F.3d 127 (2d Cir. 2013)
- McKenna v. Wright, 386 F.3d 432 (2d Cir. 2004)
- Hamilton v. Westchester County, 3 F.4th 86 (2d Cir. 2021)
- Joseph v. Fischer, No. 09-CV-6428L, 2009 WL 3805590 (W.D.N.Y. Nov. 6, 2009)
- Jordan v. Dep't of Corr., No. 3:24CV227 (VAB), 2024 WL 5112001 (D. Conn. Dec. 13, 2024)
- Perrilla v. Fischer, No. 13-CV-0398M, 2013 WL 5798557 (W.D.N.Y. Oct. 28, 2013)
- James v. Poole, No. 06-CV-6007 MAT, 2013 WL 132492 (W.D.N.Y. Jan. 9, 2013)
- Rosenfield v. N.Y. State Div. of Veterans' Affs., No. 1:18-CV-1299-GTS-CFH, 2020 WL 8911057 (N.D.N.Y. May 28, 2020)
- Midalgo v. Keough, No. 05-CV-6004L, 2007 WL 1111241 (W.D.N.Y. Apr. 13, 2007)
- Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997)
- 28 U.S.C. § 1915(d)
- Jaiyeola v. Carrier Corp., 242 F.R.D. 190 (N.D.N.Y. 2007)
- Wright v. Lewis, 76 F.3d 57 (2d Cir. 1996)
- Wagner & Wagner, LLP v. Atkinson, Haskins, Nellis, Brittingham, Gladd & Carwile, P.C., 596 F.3d 84 (2d Cir. 2010)
- Dallio v. Hebert, 678 F. Supp. 2d 35 (N.D.N.Y. 2009)
- Paterson-Leitch Co., Inc. v. Mass. Mun. Wholesale Elec. Co., 840 F.2d 985 (1st Cir. 1988)
- Baines v. Masiello, 288 F. Supp. 2d 376 (W.D.N.Y. 2003)
- Kentucky v. Graham, 473 U.S. 159 (1985)
- Watson v. Wright, No. 08-CV-00960 A M, 2011 WL 1118608 (W.D.N.Y. Jan. 11, 2011)