

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

Kendrick Robinson v. Federal Correctional Institute, Director
Colette S. Peters, Captain A. Clontz, Warden F.J. Bowers, and
Executive Officer Zach Smith

Robinson · No. 2:24-cv-02940-TLP-cgc · Decided December 12, 2025

SUMMARY

The United States District Court for the Western District of Tennessee adopted a magistrate judge’s report and recommendation and dismissed Kendrick Robinson’s civil-rights complaint with prejudice. The court held that the Eighth Amendment does not apply to a voluntary visitor at a federal correctional facility and found that an appeal would not be taken in good faith. The court denied leave to appeal in forma pauperis.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	Thomas L. Parker
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	December 12, 2025
DOCKET	2:24-cv-02940-TLP-cgc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought a civil-rights action under 42 U.S.C. § 1983. After granting plaintiff in forma pauperis status, the magistrate judge screened the complaint under 28 U.S.C. § 1915(e)(2) and recommended dismissal with prejudice and denial of leave to appeal in forma pauperis. The district court reviewed the unobjected-to report and recommendation for clear error, adopted it, dismissed the claim with prejudice, and certified that an appeal would not be taken in good faith.
STANDARD OF REVIEW	Clear-error review of an unobjected-to magistrate judge's report and recommendation under Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unknown

PARTIES

Kendrick Robinson v. Federal Correctional Institute, Director Colette S. Peters, Captain A. Clontz, Warden F.J. Bowers, Executive Officer Zach Smith

TOPICS

cruel and unusual punishment

civil rights

appellate procedure

standard of review

prisoners rights

PRACTICE AREAS

civil rights

constitutional law

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to dismiss Robinson's Eighth Amendment claim contained clear error.
2. Whether the Eighth Amendment's Cruel and Unusual Punishments Clause protects a voluntary visitor who was not tried, convicted, or sentenced.
3. Whether Robinson should be denied leave to proceed in forma pauperis on appeal because an appeal would not be taken in good faith.

HOLDINGS

1. The district court found no clear error in the magistrate judge's report and recommendation and adopted it.
2. The Eighth Amendment's Cruel and Unusual Punishments Clause does not apply to a plaintiff who was merely a voluntary visitor and had not been tried, convicted, or sentenced.
3. The court certified that any appeal would not be taken in good faith and denied Robinson leave to appeal in forma pauperis.

KEY QUOTATIONS

“the Eighth Amendment’s cruel-and-unusual-punishment clause do[es] not apply to Plaintiff who was merely a voluntary visitor at FCI.” (PageID 20)

“The Eighth Amendment only protects those who “have been tried, convicted, and sentenced.””

FACTUAL BACKGROUND

Robinson visited an inmate at the Federal Correctional Institute around Thanksgiving 2024 and was required to wait with approximately 15 other visitors in a small enclosed area. After observing other visitors coughing and sneezing, he complained to an officer that the conditions were unsafe and that visitors were being housed like prisoners. Officers ordered him to leave and suspended him from visiting the facility for 30 days. Robinson later received treatment for a viral infection, missed approximately one week of work, and sued for punitive damages under 42 U.S.C. § 1983, alleging that the conditions violated the Eighth Amendment.

PROCEDURAL HISTORY

Robinson filed the action in December 2024 after being removed from a federal correctional facility during a visit and suspended from further visits for 30 days. Magistrate Judge Charmiane G. Claxton granted leave to proceed in forma pauperis, screened the complaint, and issued a June 26, 2025 report and recommendation recommending dismissal and denial of in forma pauperis status on appeal. Robinson did not object within the permitted 14-day period, so the district court reviewed the recommendation for clear error and adopted it.

DISPOSITION

dismissed

CASES CITED

- Bond v. Moore, 672 F. Supp. 3d 357, 369 (E.D. Ky. 2023)
- Whitley v. Albers, 475 U.S. 312, 106 S. Ct. 1078, 89 L. Ed. 2d 251 (1986)

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