

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Nicholas Heath v. Village of Central City, Illinois, Gary Hall, Ken
Buchanan, Matthew Blake Dukes, Roseann Pickett, Darwin
Cushman, and Chuck Mattmiller

Case No. 3:22-cv-3120-DWD (S.D. Ill. Mar. 12, 2026) · No. 3:22-cv-3120-DWD · Decided March 12, 2026

SUMMARY

The court considers Defendants’ amended motion for summary judgment in Nicholas Heath’s action against the Village of Central City and related officials. Heath alleges retaliatory discharge under the Equal Protection Clause, 42 U.S.C. § 1983, the Illinois Human Rights Act, the Illinois Whistleblower Act, and Illinois common law after reporting and disciplining a police officer’s allegedly racist conduct. The court grants summary judgment to the individual defendants sued in their official capacities on Count I, but otherwise finds genuine disputes concerning causation and pretext that preclude summary judgment in part.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	David W. Dugan
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	March 12, 2026
DOCKET	3:22-cv-3120-DWD
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on all claims in this § 1983 and employment-retaliation action. The court granted summary judgment to the individual defendants sued in their official capacities on Count I and denied the remainder of the amended motion.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the evidence in the light most favorable to the nonmovant, does not weigh evidence or determine credibility, and asks whether a reasonable jury could return a verdict for the plaintiff.

PRECEDENTIAL VALUE

unpublished district court memorandum and order; persuasive value only

TOPICS

retaliation

wrongful termination

section 1983

summary judgment

civil procedure

PRACTICE AREAS

employment law

civil rights

constitutional law

municipal law

civil procedure

QUESTIONS PRESENTED

1. Whether summary judgment was appropriate on the causation and pretext elements of Heath's retaliation and retaliatory-discharge claims.
2. Whether individual defendants sued in their official capacities were entitled to summary judgment on Count I because official-capacity claims are functionally claims against the municipality.
3. Whether the evidentiary record contained genuine disputes of material fact concerning whether Heath's protected activity caused his termination.

HOLDINGS

1. Individual municipal defendants sued in their official capacities are not separately liable on Count I because an official-capacity action is treated as an action against the governmental entity itself. Summary judgment was therefore granted to Hall, Buchanan, Dukes, Pickett, Cushman, and Mattmiller on Count I, leaving the Village of Central City as the remaining defendant on that count.
2. Summary judgment is proper only when no genuine dispute of material fact exists and the moving party is entitled to judgment as a matter of law; a genuine dispute exists when the evidence would permit a reasonable jury to return a verdict for the nonmoving party.
3. The retaliation and retaliatory-discharge claims could not be resolved on summary judgment because the record contained genuine disputes regarding whether Heath's protected activity caused his termination.
4. Defendants' assertion that Heath was terminated for sexual harassment did not require judgment in their favor because the record supported a possible finding that the stated reason was pretextual.

KEY QUOTATIONS

“This circumstance, together with the Court’s review of the other evidence of record below, creates genuine disputes of material fact that must be resolved by a jury.” (Section II.B)

“Therefore, despite Defendants’ invocation of Plaintiff’s alleged sexual harassment of Karlie Patten as a legitimate and non-retaliatory basis for its employment decision, the Court concludes for each of Plaintiff’s claims that the above-stated factual circumstances, many of which are not disputed by Defendants by virtue of their inclusion in Plaintiff’s Statement of Additional Material Facts, must be heard by a jury to decide whether there is a sufficient causal connection or link between Plaintiff’s protected activity and termination.” (Section II.B)

FACTUAL BACKGROUND

Nicholas Heath served as police chief for the Village of Central City from November 2020 until June 2021. After learning of an alleged racially charged off-duty incident involving Central City police officer Joshua Patten, Heath reported the conduct to village officials and participated in disciplining Patten with a one-day suspension and written reprimand. In May 2021, Patten's wife, Village Clerk Karlie Patten, accused Heath of sexual harassment; Heath was placed on paid administrative leave and terminated approximately one month later. Heath contended that the sexual-harassment allegations and the village's stated reason for termination were pretextual and that the termination was retaliation for reporting and disciplining Joshua Patten.

PROCEDURAL HISTORY

Plaintiff filed suit on December 29, 2022, alleging retaliation and retaliatory discharge under the Equal Protection Clause and 42 U.S.C. § 1983, the Illinois Human Rights Act, the Illinois Whistleblower Act, and Illinois common law. Defendants filed an amended motion for summary judgment. Because defendants did not respond to plaintiff's statement of additional material facts, the court deemed those facts admitted under Southern District of Illinois Local Rule 56.1(g).

DISPOSITION

other

CASES CITED

- Driveline Sys., LLC v. Arctic Cat, Inc., 936 F.3d 576, 579 (7th Cir. 2019)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Rozumalski v. W.F. Baird & Assocs., Ltd., 937 F.3d 919, 924, 927 (7th Cir. 2019)
- Gnutek v. Illinois Gaming Bd., 80 F.4th 820, 824 (7th Cir. 2023)
- Crain v. McDonough, 63 F.4th 585, 593-94 (7th Cir. 2023)
- Jungels v. Pierce, 825 F.2d 1127, 1129 (7th Cir. 1987)
- Kentucky v. Graham, 473 U.S. 159, 165-67 (1985)
- Monell v. Department of Social Services, 436 U.S. 658, 690 (1978)
- Stockton v. Milwaukee County, 44 F.4th 605, 616-17 (7th Cir. 2022)
- Adebiyi v. S. Suburban Coll., 98 F.4th 886, 892 (7th Cir. 2024)
- Coleman v. Donahoe, 667 F.3d 835, 860-61 (7th Cir. 2012)
- Perez v. Staples Cont. & Com. LLC, 31 F.4th 560, 571 (7th Cir. 2022)
- Turner v. Mem'l Med. Ctr., 233 Ill. 2d 494, 500 (2010)
- Palmateer v. International Harvester Co., 85 Ill. 2d 124, 130 (1981)
- Walker v. Ingersoll Cutting Tool Co., 915 F.3d 1154, 1157 (7th Cir. 2019)
- Runkel v. City of Springfield, 51 F.4th 736, 741 (7th Cir. 2022)

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