

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, SPRINGFIELD DIVISION

Lawrence Dewayne Wallace v. Illinois Department of Corrections, et
al.

Wallace · No. 3:23-cv-03311-JEH · Decided December 19, 2025

SUMMARY

The United States District Court for the Central District of Illinois granted the defendant's motion for summary judgment based on Lawrence Dewayne Wallace's failure to exhaust available administrative remedies under the Prison Litigation Reform Act. The court held that Wallace's grievances did not fully exhaust his First Amendment claim concerning the alleged confiscation of a manuscript before he filed suit. The court denied Wallace's motion to file auxiliary exhibits and dismissed the case without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Springfield Division
WRITING FOR THE COURT	Jonathan E. Hawley
JURISDICTION	United States District Court for the Central District of Illinois, Springfield Division
DECIDED	December 19, 2025
DOCKET	3:23-cv-03311-JEH
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se under 42 U.S.C. § 1983, brought a First Amendment claim concerning the alleged confiscation of a manuscript. Defendant moved for summary judgment on the affirmative defense that Plaintiff failed to exhaust available administrative remedies under the Prison Litigation Reform Act. Plaintiff moved for leave to file auxiliary exhibits.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. Facts and reasonable inferences are construed in favor of the nonmoving party. Defendant bore the burden of proving the affirmative defense of failure to exhaust administrative remedies.

TOPICS

summary judgment

prisoners rights

section 1983

civil rights

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

administrative exhaustion

summary judgment

QUESTIONS PRESENTED

1. Whether Plaintiff exhausted available administrative remedies before filing his First Amendment § 1983 action.
2. Whether Plaintiff's second grievance exhausted the manuscript-confiscation claim by requesting a response to his first grievance.
3. Whether the prison grievance process became unavailable because prison officials failed to address the confiscation allegations or because the Administrative Review Board had not yet responded.
4. Whether Plaintiff should be permitted to file auxiliary exhibits from a non-attorney third party.

HOLDINGS

1. Plaintiff failed to exhaust available administrative remedies before filing his § 1983 action because the appeals of his first and third grievances were still pending when suit was filed.
2. The second grievance did not exhaust the claims at issue because it complained about the lack of a response to the first grievance and the adequacy of an investigation, but did not provide facts placing prison officials on notice of an alleged unconstitutional confiscation of the manuscript.
3. The grievance process remained available when Plaintiff filed suit because the Administrative Review Board's response was still within Illinois's aspirational six-month period and the record did not establish that the pending process was a dead end or otherwise unusable.
4. Plaintiff's motion for leave to file auxiliary exhibits was denied because the court does not permit non-attorney third parties to file documents and the proposed exhibits were not relevant to exhaustion.

KEY QUOTATIONS

“Summary judgment should be granted “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.”” (at 1)

“The PLRA requires only that inmates exhaust available remedies.” (at 6)

“the PLRA requires prisoners to exhaust administrative remedies before filing suit; a “sue first, exhaust later” approach is not acceptable.” (at 8)

FACTUAL BACKGROUND

Plaintiff alleged that prison officials confiscated or discarded a manuscript during or after a May 16, 2023, cell shakedown without issuing a shakedown slip or otherwise documenting the confiscation. He filed grievances on June 21, July 18, and July 24, 2023, concerning the missing manuscript and the prison's handling of his complaints. When Plaintiff filed this lawsuit on October 24, 2023, appeals of his first and third grievances were still pending before the Administrative Review Board.

PROCEDURAL HISTORY

Plaintiff filed suit on October 24, 2023, after filing three prison grievances concerning the disappearance or confiscation of his manuscript. The first and third grievances remained pending before the Illinois Administrative Review Board when Plaintiff filed suit. The court granted Defendant's motion for summary judgment, denied Plaintiff's motion for leave to file auxiliary exhibits, dismissed the action without prejudice, and terminated the case.

DISPOSITION

dismissed

CASES CITED

- Ogden v. Atterholt, 606 F.3d 355, 358 (7th Cir. 2010)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Lanaghan v. Koch, 902 F.3d 683, 687 (7th Cir. 2018)
- Ross v. Blake, 136 S. Ct. 1850, 1858-60 (2016)
- Jones v. Lamb, 124 F.4th 463, 468 (7th Cir. 2024)
- Jackson v. Esser, 105 F.4th 948, 957 (7th Cir. 2024)
- Smallwood v. Williams, 59 F.4th 306, 315 (7th Cir. 2023)
- Davis v. Mason, 881 F.3d 982, 985 (7th Cir. 2018)
- Thornton v. Snyder, 428 F.3d 690, 696-97 (7th Cir. 2005)
- Schillinger v. Kiley, 954 F.3d 990, 996 (7th Cir. 2020)
- Booth v. Churner, 532 U.S. 731, 740 (2001)
- Chambers v. Sood, 956 F.3d 979, 984 (7th Cir. 2020)
- Ford v. Johnson, 362 F.3d 395, 398-400 (7th Cir. 2004)
- Celske v. Edwards, 164 F.3d 396, 398 (7th Cir. 1999)
- Walker v. O'Brien, 216 F.3d 626, 632 (7th Cir. 2000)