

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

D’Andre Whitley v. Devon M. Goforth, et al.

Whitley · No. 4:25-cv-01589-RWS · Decided May 15, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri granted D’Andre Whitley’s application to proceed without prepaying fees and assessed an initial partial filing fee of \$59.97. The court dismissed his 42 U.S.C. § 1983 complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B), holding that the Prison Litigation Reform Act barred recovery for alleged emotional and mental distress absent a physical injury. The complaint concerned alleged denial of restroom access and a resulting conduct violation at Northeast Correctional Center.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Rodney W. Sippel
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	May 15, 2026
DOCKET	4:25-cv-01589-RWS
PROCEDURAL POSTURE	Pro se prisoner civil-rights action under 42 U.S.C. § 1983 screened under the Prison Litigation Reform Act while Plaintiff sought leave to proceed in forma pauperis.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis complaint that is frivolous, malicious, or fails to state a claim. In assessing whether the complaint states a claim, the court applies the facial-plausibility standard and liberally construes a pro se complaint, while accepting factual allegations as true but not legal conclusions or unsupported conclusory statements.
PARTIES	D’Andre Whitley v. Devon M. Goforth, Robert Herron

QUESTIONS PRESENTED

- Whether the complaint stated an actionable claim under 42 U.S.C. § 1983 despite Plaintiff’s allegation that he suffered only emotional and mental distress.

2. Whether 42 U.S.C. § 1997e(e) barred recovery of damages because Plaintiff alleged no physical injury or sexual act.
3. Whether the court should grant Plaintiff leave to proceed in forma pauperis and assess an initial partial filing fee.

HOLDINGS

1. The complaint failed to state a claim for damages because Plaintiff alleged no physical injury and sought recovery for emotional and mental distress arising from the alleged confinement conditions.
2. The court was required to dismiss the complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim upon which relief may be granted.

FACTUAL BACKGROUND

Whitley, a prisoner at Northeast Correctional Center, alleged that on July 17, 2024, correctional officer Robert Herron refused repeated requests to let him use a restroom during recreation and threatened him with lockdown if he continued asking. Whitley alleged that he involuntarily urinated on himself and was mocked by others, after which he was allowed to shower and change. He also alleged that on October 31, 2024, correctional officer Devon Goforth issued him a conduct violation for using the restroom. Whitley claimed emotional and mental distress and sought \$70,000 from each defendant plus punitive damages, but alleged no physical injury.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging unconstitutional conditions of confinement and sought damages for emotional and mental distress. The court granted his application to proceed without prepaying fees, assessed an initial partial filing fee of \$59.97, denied his motion to appoint counsel as moot, and dismissed the complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.

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