

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Joshua Dewayne Folds v. Paul Jensen et al.

Case No. 1:25-cv-1419 · No. 1:25-cv-1419 · Decided November 25, 2025

SUMMARY

The United States District Court for the Western District of Michigan conducts preliminary screening under the Prison Litigation Reform Act of a state prisoner's 42 U.S.C. § 1983 complaint. The court dismisses the claims against Defendant Brege, all official-capacity claims, certain Eighth and Fourteenth Amendment claims, and permits specified personal-capacity First and Eighth Amendment claims to proceed against other defendants.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Sally J. Berens
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	November 25, 2025
DOCKET	1:25-cv-1419
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner brought a 42 U.S.C. § 1983 action and moved to proceed in forma pauperis. After consenting to magistrate-judge jurisdiction, the plaintiff's complaint underwent mandatory preliminary screening under the Prison Litigation Reform Act before service.
STANDARD OF REVIEW	On preliminary PLRA screening, the court accepted well-pleaded allegations as true, construed the pro se complaint indulgently, and dismissed claims that were frivolous, malicious, failed to state a claim, or sought relief from an immune defendant. The court applied the Rule 8 and Twombly/Iqbal plausibility standard.
PRECEDENTIAL VALUE	unpublished

TOPICS

- section 1983
- prisoners rights
- first amendment
- cruel and unusual punishment
- procedural due process

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a First Amendment retaliation claim against Martinez based on threats following the plaintiff's stated intent to file a grievance.
2. Whether the complaint stated a First Amendment retaliation claim against Jensen based on placement on suicide watch after the plaintiff refused to provide a statement against another prisoner.
3. Whether the complaint stated an Eighth Amendment excessive-force claim against Martinez based on closing a cell door on the plaintiff's arm.
4. Whether the complaint stated Eighth Amendment failure-to-protect or deliberate-indifference claims against Martinez and Boykins based on the risk posed by inmate Rogers.
5. Whether the complaint stated Eighth Amendment medical-care claims against Jensen and Beaumont based on interference with and denial of treatment.
6. Whether the plaintiff's official-capacity claims were barred because they were effectively claims for damages against the State and its officials.
7. Whether the claims against Brege failed for lack of allegations showing personal involvement or supervisory participation.
8. Whether the plaintiff stated an Eighth Amendment claim based on two weeks of suicide watch.
9. Whether receipt of a fighting misconduct stated a Fourteenth Amendment procedural due process claim.

HOLDINGS

1. The plaintiff's monetary-damages claims against the defendants in their official capacities failed to state a claim because such claims were treated as claims against the Michigan Department of Corrections and the State of Michigan, which are not persons subject to suit for damages under § 1983 and are protected by Eleventh Amendment immunity.
2. The claims against Brege were dismissed because the complaint alleged no conduct attributable to Brege and did not establish personal involvement, encouragement, authorization, approval, or knowing acquiescence in any unconstitutional conduct.
3. The complaint plausibly stated First Amendment retaliation claims against Martinez and Jensen. Stating an intent to file a grievance was protected conduct, and the alleged threat of harm and placement on restrictive suicide-watch conditions could deter a person of ordinary firmness; the allegations also supported an inference of retaliatory motive.
4. The complaint plausibly stated an Eighth Amendment excessive-force claim against Martinez based on allegedly closing the cell door on the plaintiff's arm and leaving him trapped for approximately 45 minutes.
5. The complaint plausibly stated Eighth Amendment failure-to-protect or deliberate-indifference-to-personal-safety claims against Martinez and Boykins.

6. The complaint plausibly stated Eighth Amendment medical-care claims against Jensen and Beaumont.
7. The Eighth Amendment claim against Jensen based solely on the plaintiff's two-week placement on suicide watch was dismissed for failure to state a claim.
8. The Fourteenth Amendment procedural due process claim based on receipt of a fighting misconduct was dismissed for failure to state a claim.

KEY QUOTATIONS

"By stating his intent to file a grievance, Plaintiff engaged in protected conduct." (First Amendment Retaliation)

"The following personal capacity claims remain in the case: (1) Plaintiff's First Amendment claims against Defendants Martinez and Jensen; (2) Plaintiff's Eighth Amendment excessive force claim against Defendant Martinez; (3) Plaintiff's Eighth Amendment failure to protect/indifference to personal safety claims against Defendants Martinez and Boykins; and (4) Plaintiff's Eighth Amendment claims against Defendants Jensen and Beaumont premised upon interference with and a denial of adequate medical treatment." (Conclusion)

FACTUAL BACKGROUND

The plaintiff alleged that Correctional Officer Martinez closed a cell door on his arm for approximately 45 minutes and threatened him after he indicated that he would file a grievance. The plaintiff was later housed with inmate Rogers, whom he repeatedly described to Resident Unit Manager Boykins as unstable and threatening; despite those warnings, Rogers allegedly stabbed the plaintiff in the neck. The plaintiff further alleged that Inspector Jensen conditioned medical attention on providing a statement against Rogers and that Health Unit Manager Beaumont delayed antibiotics, pain medication, and dressing changes. The plaintiff also alleged that Jensen placed him on suicide watch and that he received a fighting misconduct after the assault.

PROCEDURAL HISTORY

The plaintiff filed a prisoner civil-rights complaint against five Michigan Department of Corrections employees in their official and personal capacities and sought compensatory and punitive damages. The court granted leave to proceed in forma pauperis, conducted screening under 28 U.S.C. §§ 1915(e)(2) and 1915A(b) and 42 U.S.C. § 1997e(c), dismissed Defendant Brege and several claims for failure to state a claim, and allowed specified personal-capacity claims to proceed before service.

DISPOSITION

other

CASES CITED

- In re Prison Litigation Reform Act, 105 F.3d 1131, 1131, 1134 (6th Cir. 1997)
- McGore v. Wrigglesworth, 114 F.3d 601, 604-05 (6th Cir. 1997)
- Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347, 350-51 (1999)
- Conway v. Fayette County Government, 212 F. App'x 418 (6th Cir. 2007)

- Neals v. Norwood, 59 F.3d 530, 532 (5th Cir. 1995)
- Coleman v. Labor & Industry Review Commission of Wisconsin, 860 F.3d 461, 471 (7th Cir. 2017)
- Williams v. King, 875 F.3d 500, 503-04 (9th Cir. 2017)
- Burton v. Schamp, 25 F.4th 198, 207 n.26 (3d Cir. 2022)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Denton v. Hernandez, 504 U.S. 25, 33 (1992)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 676, 678-79 (2009)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Street v. Correctional Corporation of America, 102 F.3d 810, 814 (6th Cir. 1996)
- Albright v. Oliver, 510 U.S. 266, 271 (1994)
- Will v. Michigan Department of State Police, 491 U.S. 58, 66, 71 (1989)
- Matthews v. Jones, 35 F.3d 1046, 1049 (6th Cir. 1994)
- Pennhurst State School & Hospital v. Halderman, 465 U.S. 89, 98-101 (1984)
- Alabama v. Pugh, 438 U.S. 781, 782 (1978)
- O'Hara v. Wigginton, 24 F.3d 823, 826 (6th Cir. 1994)
- Quern v. Jordan, 440 U.S. 332, 341 (1979)
- Abick v. Michigan, 803 F.2d 874, 877 (6th Cir. 1986)
- Lapidus v. Board of Regents, 535 U.S. 613, 617 (2002)
- Lanman v. Hinson, 529 F.3d 673, 684 (6th Cir. 2008)
- Terrance v. Northville Regional Psychiatric Hospital, 286 F.3d 834, 842 (6th Cir. 2002)
- Frazier v. Michigan, 41 F. App'x 762, 764 (6th Cir. 2002)
- Griffin v. Montgomery, No. 00-3402, 2000 WL 1800569, at *2 (6th Cir. Nov. 30, 2000)
- Salehpour v. University of Tennessee, 159 F.3d 199, 206 (6th Cir. 1998)
- Rodriguez v. Jabe, 904 F.2d 708 (6th Cir. 1990)
- Monell v. Department of Social Services, 436 U.S. 658, 691 (1978)
- Everson v. Leis, 556 F.3d 484, 495 (6th Cir. 2009)
- Grinter v. Knight, 532 F.3d 567, 576 (6th Cir. 2008)
- Greene v. Barber, 310 F.3d 889, 899 (6th Cir. 2002)
- Summers v. Leis, 368 F.3d 881, 888 (6th Cir. 2004)
- Shehee v. Luttrell, 199 F.3d 295, 300 (6th Cir. 1999)
- Peatross v. City of Memphis, 818 F.3d 233, 242 (6th Cir. 2016)
- Thaddeus-X v. Blatter, 175 F.3d 378, 394, 396, 398 (6th Cir. 1999) (en banc)
- Pasley v. Conerly, 345 F. App'x 981, 984-95 (6th Cir. 2009)
- Smith v. Campbell, 250 F.3d 1032, 1037 (6th Cir. 2001)
- Mount Healthy City School District Board of Education v. Doyle, 429 U.S. 274, 287 (1977)
- Burns v. Martuscello, 890 F.3d 77, 88-93 (2d Cir. 2018)

- *Dixon v. Gonzales*, No. 1:09-cv-172, 2009 WL 3416005, at *3 n.1 (E.D. Cal. Oct. 21, 2009)
- *Reynolds v. Mattson*, No. 2:07-CV-59, 2008 WL 2704750, at *2 (W.D. Mich. July 9, 2008)
- *Jones v. North Carolina Prisoners' Labor Union, Inc.*, 433 U.S. 119, 129 (1977)
- *Wooley v. Maynard*, 430 U.S. 705, 714 (1977)
- *Pell v. Procunier*, 417 U.S. 817, 822 (1974)
- *Rhodes v. Chapman*, 452 U.S. 337, 345-48 (1981)
- *Ivey v. Wilson*, 832 F.2d 950, 954 (6th Cir. 1987) (per curiam)
- *Wilson v. Yaklich*, 148 F.3d 596, 600-01 (6th Cir. 1998)
- *Hudson v. McMillian*, 503 U.S. 1, 7-9 (1992)
- *Mingus v. Butler*, 591 F.3d 474, 479-80 (6th Cir. 2010)
- *Helling v. McKinney*, 509 U.S. 25, 35-37 (1993)
- *Williams v. Curtin*, 631 F.3d 380, 383 (6th Cir. 2011)
- *Pelfrey v. Chambers*, 43 F.3d 1034, 1037 (6th Cir. 1995)
- *Bailey v. Golladay*, 421 F. App'x 579, 582 (6th Cir. 2011)
- *Parrish v. Johnson*, 800 F.2d 600, 604 (6th Cir. 1986)
- *Cordell v. McKinney*, 759 F.3d 573, 580 (6th Cir. 2014)
- *Combs v. Wilkinson*, 315 F.3d 548, 556 (6th Cir. 2002)
- *Santiago v. Ringle*, 734 F.3d 585, 590 (6th Cir. 2013)
- *Comstock v. McCrary*, 273 F.3d 693, 702 (6th Cir. 2001)
- *Farmer v. Brennan*, 511 U.S. 825, 833-37, 842, 844 (1994)
- *Walker v. Norris*, 917 F.2d 1449, 1453 (6th Cir. 1990)
- *McGhee v. Foltz*, 852 F.2d 876, 880-81 (6th Cir. 1988)
- *Hudson v. Palmer*, 468 U.S. 517, 526-27 (1984)
- *Winkler v. Madison County*, 893 F.3d 877, 895 (6th Cir. 2018)
- *Smith v. County of Lenawee*, 505 F. App'x 526, 532 (6th Cir. 2012)
- *Newberry v. Melton*, 726 F. App'x 290, 296-97 (6th Cir. 2018)
- *Cuco v. Federal Medical Center-Lexington*, No. 05-CV-232-KSF, 2006 WL 1635668, at *21-22 (E.D. Ky. June 9, 2006)
- *Blackmore v. Kalamazoo County*, 390 F.3d 890, 899 (6th Cir. 2004)
- *Phillips v. Roane County*, 534 F.3d 531, 539-40 (6th Cir. 2008)
- *Johnson v. Karnes*, 398 F.3d 868, 874 (6th Cir. 2005)
- *Brown v. Bargery*, 207 F.3d 863, 867 (6th Cir. 2000)
- *Rhinehart v. Scutt*, 894 F.3d 721, 738 (6th Cir. 2018)
- *Estelle v. Gamble*, 429 U.S. 97, 103-05 (1976)
- *Gregg v. Georgia*, 428 U.S. 153, 183 (1976)
- *Evans v. Vinson*, 427 F. App'x 437, 443 (6th Cir. 2011)
- *Harden-Bey v. Rutter*, 524 F.3d 789, 795 (6th Cir. 2008)

- *Bazzetta v. McGinnis*, 430 F.3d 795, 801 (6th Cir. 2005)
- *Wilkinson v. Austin*, 545 U.S. 209, 221 (2005)
- *Kentucky Department of Corrections v. Thompson*, 490 U.S. 454, 460 (1989)
- *Meachum v. Fano*, 427 U.S. 215, 225 (1976)
- *Sandin v. Conner*, 515 U.S. 472, 484, 486-87 (1995)
- *Jones v. Baker*, 155 F.3d 810, 812 (6th Cir. 1998)
- *Rimmer-Bey v. Brown*, 62 F.3d 789, 790-91 (6th Cir. 1995)
- *Taylor v. Lantagne*, 418 F. App'x 408, 412 (6th Cir. 2011)
- *Nali v. Ekman*, 355 F. App'x 909, 912 (6th Cir. 2009)

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