

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, ROCK ISLAND DIVISION

Terrance Love v. Kasey Kramer, et al.

Love v. Kramer · No. 25-4211 · Decided May 1, 2026

SUMMARY

The court conducts a merit review under 28 U.S.C. § 1915A of Terrance Love’s amended complaint concerning allegedly delayed and inadequate medical treatment for a fractured hand. The court grants leave to amend, finds an Eighth Amendment deliberate-indifference claim against the named defendants, and orders service and related procedural steps.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Rock Island Division
WRITING FOR THE COURT	Sara Darrow
JURISDICTION	United States District Court for the Central District of Illinois, Rock Island Division
DECIDED	May 1, 2026
DOCKET	25-4211
DISPOSITION	other
PROCEDURAL POSTURE	Merit review of a pro se incarcerated plaintiff’s amended complaint under 28 U.S.C. § 1915A following the grant of leave to proceed in forma pauperis.
STANDARD OF REVIEW	On § 1915A screening, the court accepted factual allegations as true and construed them liberally in the plaintiff’s favor, while requiring factual allegations sufficient to state a facially plausible claim. Legally insufficient claims must be dismissed if frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant.
PRECEDENTIAL VALUE	unpublished district court merit review order; limited persuasive value
PARTIES	Terrance Love v. Kasey Kramer, et al.

TOPICS

- section 1983
- prisoners rights
- constitutional law
- motion to amend
- civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional litigation

federal civil procedure

medical care

QUESTIONS PRESENTED

1. Whether leave to file the proposed amended complaint should be granted under Federal Rule of Civil Procedure 15.
2. Whether the amended complaint states an Eighth Amendment claim for deliberate indifference to a serious medical need under the screening standard of 28 U.S.C. § 1915A.

HOLDINGS

1. The court granted Love's motion for leave to file an amended complaint and directed the clerk to docket the proposed amended complaint.
2. The amended complaint states an Eighth Amendment claim for deliberate indifference to a serious medical need against the named defendants.

KEY QUOTATIONS

“the court finds that the plaintiff states an Eighth Amendment claim for deliberate indifference to a serious medical need against the named defendants.” (Order ¶ 2)

“The defendants have 60 days from the date the waiver is sent to file an answer.” (Order ¶ 4)

FACTUAL BACKGROUND

Love alleged that defendants refused or delayed treatment and diagnostic testing for a fractured hand, resulting in the need for surgery. He further alleged that defendants failed to provide adequate care and pain relief following the surgery.

PROCEDURAL HISTORY

Love moved for leave to file an amended complaint, and the court granted that motion. The court then screened the amended complaint under § 1915A, found that it stated an Eighth Amendment deliberate-indifference claim against the named defendants, authorized service, and granted the plaintiff's motion for status.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. U.S., 721 F.3d 418, 422 (7th Cir. 2013)
- Petties v. Carter, 836 F.3d 722, 729-30 (7th Cir. 2016) (en banc)

OPINION

Love

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF ILLINOIS

ROCK ISLAND DIVISION

TERRANCE LOVE,)

) Plaintiff,)) v.) 25-4211) KASEY KRAMER, et al.)) Defendants.)

MERIT REVIEW ORDER

Plaintiff, proceeding pro se and presently incarcerated at Pontiac Correctional Center, was granted leave to proceed in forma pauperis. As a threshold matter, Plaintiff's Motion for Leave to File an Amended Complaint (Doc. 5) is granted. Fed. R. Civ. P. 15. The case is now before the Court for a merit review of Plaintiff's claims. The Court must "screen" Plaintiff's amended complaint, and through such process to identify and dismiss any legally insufficient claim, or the entire action if warranted. 28 U.S.C. § 1915A. A claim is legally insufficient if it "(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief." *Id.* The Court accepts the factual allegations as true, liberally construing them in the plaintiff's favor. *Turley v. Rednour*, 729 F.3d 645, 649 (7th Cir. 2013). Conclusory statements and labels are insufficient—the facts alleged must "state a claim for relief that is plausible on its face." *Alexander v. U.S.*, 721 F.3d 418, 422 (7th Cir. 2013) (citation omitted). Plaintiff alleges that Defendants refused to provide or otherwise delayed treatment and diagnostic testing for a fractured hand, resulting in the need for surgery. Plaintiff alleges that Defendants failed to provide adequate care and pain relief after the surgery. Plaintiff states an Eighth Amendment claim for deliberate indifference to a serious medical need against the named defendants. *Petties v. Carter*, 836 F.3d 722, 729-30 (7th Cir. 2016) (en banc). Plaintiff's Motion for Status (Doc. 10) Plaintiff's motion is granted. This Order addresses all pending issues. IT IS THEREFORE ORDERED:

1. Plaintiff's Motion for Leave to File Amended Complaint [5] is GRANTED.

Clerk is directed to docket the proposed amended complaint attached to Plaintiff's motion.

2. Pursuant to its merit review of the Complaint under 28 U.S.C. § 1915A, the court finds that the plaintiff states an Eighth Amendment claim for deliberate indifference to a serious medical need against the named defendants. Any additional claims shall not be included in the case, except at the court's discretion on motion by a party for good cause shown or pursuant to Federal Rule of Civil Procedure 15.

3. This case is now in the process of service. The plaintiff is advised to wait until counsel has appeared for the defendants before filing any motions, in order to give notice to the defendants and an opportunity to respond to those motions. Motions filed before defendants' counsel has filed an appearance will generally be denied as premature. The plaintiff need not

submit any evidence to the court at this time, unless otherwise directed by the court.

4. The court will attempt service on the defendants by mailing each defendant a waiver of service. The defendants have 60 days from the date the waiver is sent to file an answer. If the defendants have not filed answers or appeared through counsel within 90 days of the entry of this order, the plaintiff may file a motion requesting the status of service. After the defendants have been served, the court will enter an order setting discovery and dispositive motion deadlines.

5. With respect to a defendant who no longer works at the address provided by the plaintiff, the entity for whom that defendant worked while at that address shall provide to the clerk said defendant's current work address, or, if not known, said defendant's forwarding address. This information shall be used only for effectuating service. Documentation of forwarding addresses shall be retained only by the clerk and shall not be maintained in the public docket nor disclosed by the clerk.

6. The defendants shall file an answer within 60 days of the date the waiver is sent by the clerk. A motion to dismiss is not an answer. The answer should include all defenses appropriate under the Federal Rules. The answer and subsequent pleadings shall be to the issues and claims stated in this opinion. In general, an answer sets forth the defendants' positions. The court does not rule on the merits of those positions unless and until a motion is filed by the defendants. Therefore, no response to the answer is necessary or will be considered.

7. This district uses electronic filing, which means that, after defense counsel has filed an appearance, defense counsel will automatically receive electronic notice of any motion or other paper filed by the plaintiff with the clerk. The plaintiff does not need to mail to defense counsel copies of motions and other papers that the plaintiff has filed with the clerk. However, this does not apply to discovery requests and responses. Discovery requests and responses are not filed with the clerk. The plaintiff must mail his discovery requests and responses directly to defendants' counsel. Discovery requests or responses sent to the clerk will be returned unfiled, unless they are attached to and the subject of a motion to compel. Discovery does not begin until defense counsel has filed an appearance and the court has entered a scheduling order, which will explain the discovery process in more detail.

8. Counsel for the defendants is hereby granted leave to depose the plaintiff at his place of confinement. Counsel for the defendants shall arrange the time for the deposition.

9. The plaintiff shall immediately notify the court, in writing, of any change in his mailing address and telephone number. The plaintiff's failure to notify the court of a change in mailing address or phone number will result in dismissal of this lawsuit, with prejudice.

10. If a defendant fails to sign and return a waiver of service to the clerk within 30 days after the waiver is sent, the court will take appropriate steps to effect formal service through the U.S. Marshals service on that defendant and will require that defendant to pay the full costs of formal service pursuant to Federal Rule of Civil Procedure 4(d)(2).

11. The clerk is directed to enter the standard qualified protective order

pursuant to the Health Insurance Portability and Accountability Act.

12. The clerk is directed to attempt service on the named defendants pursuant to the standard procedures.

13. Plaintiff's Motion [10] is GRANTED.

Entered this 1st day of May, 2026. s/Sara Darrow

SARA DARROW

UNITED STATES DISTRICT JUDGE