

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

Calkins v. Demorest

Calkins · No. 1:23-cv-54 · Decided February 11, 2026

SUMMARY

The United States District Court for the Western District of Michigan granted Defendant Anthony Demorest’s motion for summary judgment in Robert Calkins’s Eighth Amendment excessive-force action. The court concluded that video evidence contradicted Calkins’s account and established that the incident resulted from a fall while Demorest attempted to restrain and move him away from another inmate.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Phillip J. Green
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	February 11, 2026
DOCKET	1:23-cv-54
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for summary judgment on Plaintiff's Eighth Amendment excessive-force claim. The parties consented to jurisdiction by a United States magistrate judge under 28 U.S.C. § 636(c)(1).
STANDARD OF REVIEW	Summary judgment is proper 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, but a party opposing summary judgment must identify specific, admissible evidence establishing a genuine issue for trial. When a video recording blatantly contradicts a party's version of events such that no reasonable jury could believe it, the court views the facts as depicted by the recording.
PRECEDENTIAL VALUE	unpublished

PARTIES

Robert Calkins v. Anthony Demorest

TOPICS

prisoners rights

cruel and unusual punishment

summary judgment

civil rights

evidence

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

summary judgment

QUESTIONS PRESENTED

1. Whether Defendant was entitled to summary judgment because the evidence, including a video recording, showed no genuine dispute that Defendant's use of force was accidental rather than malicious and sadistic.
2. Whether Plaintiff had presented sufficient evidence to create a genuine issue for trial on the subjective and objective components of his Eighth Amendment excessive-force claim.

HOLDINGS

1. Summary judgment was appropriate because Plaintiff failed to present significant probative evidence establishing a genuine issue for trial, and the video recording contradicted Plaintiff's account of the incident.
2. Plaintiff failed to establish a triable claim because the record did not support a finding that Defendant maliciously and sadistically used force to cause harm.

KEY QUOTATIONS

"When opposing parties tell two different stories, one of which is blatantly contradicted by the record, so that no reasonable jury could believe it, a court should not adopt that version of facts for purposes of ruling on a motion for summary judgment." (at 8)

"Accordingly, Defendant is entitled to summary judgment on Plaintiff's use of excessive force claim." (at 9)

FACTUAL BACKGROUND

While Plaintiff was incarcerated at Bellamy Creek Correctional Facility, another inmate threw a milk carton and later lunged at Plaintiff after Plaintiff threw liquid in the inmate's face. Defendant, a correctional officer, attempted to restrain Plaintiff and move him away from the other inmate. Defendant slipped on food debris, causing both men to fall and Plaintiff to be swung over Defendant's shoulder; Plaintiff suffered a head injury and loss of consciousness. Plaintiff alleged that Defendant intentionally lifted and slammed him, while Defendant's affidavits and the video recording characterized the event as an accidental fall during an effort to restrain Plaintiff.

PROCEDURAL HISTORY

Plaintiff brought an action alleging that Defendant, a correctional officer, used excessive force during an altercation involving another inmate. Plaintiff had previously filed an action concerning the same incident, which was dismissed without prejudice by stipulation. In this action, Defendant moved for summary judgment; Plaintiff responded. The court granted the motion and terminated the action.

DISPOSITION

other

CASES CITED

- Harden v. Hillman, 993 F.3d 465, 474 (6th Cir. 2021)
- Minadeo v. ICI Paints, 398 F.3d 751, 761 (6th Cir. 2005)
- Amini v. Oberlin College, 440 F.3d 350, 357 (6th Cir. 2006)
- Daniels v. Woodside, 396 F.3d 730, 734-35 (6th Cir. 2005)
- Pack v. Damon Corp., 434 F.3d 810, 813-14 (6th Cir. 2006)
- Fogerty v. MGM Group Holdings Corp., Inc., 379 F.3d 348, 353-54 (6th Cir. 2004)
- Arnett v. Myers, 281 F.3d 552, 561 (6th Cir. 2002)
- Calderone v. United States, 799 F.2d 254, 259 (6th Cir. 1986)
- Hunt v. Cromartie, 526 U.S. 541, 553 (1999)
- Whitley v. Albers, 475 U.S. 312, 319, 320-21 (1986)
- Wilson v. Seiter, 501 U.S. 294, 298-99 (1991)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Hadix v. Johnson, 367 F.3d 513, 525 (6th Cir. 2004)
- Hudson v. McMillian, 503 U.S. 1, 7, 9-10 (1992)
- Wilkins v. Gaddy, 559 U.S. 34, 37-38 (2010)
- Scott v. Harris, 550 U.S. 372, 380-81 (2007)
- Whittaker v. Leonard, No. 1:23-cv-284, 2025 WL 2924594, at *2 (W.D. Mich. Aug. 14, 2025)

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