

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Quick v. Gimble

Civil Action No. 1:24-1934 · No. 1:24-1934 · Decided December 19, 2025

SUMMARY

The United States District Court for the Middle District of Pennsylvania partially grants defendant's motion to dismiss in a prisoner civil rights action. The court dismisses the plaintiff's Fifth and Fourteenth Amendment claims without prejudice under the more-specific-provision rule, permits an Eighth Amendment excessive-force claim to proceed, grants leave to amend, and deems the plaintiff's motion to suppress evidence withdrawn.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Malachy E. Mannion
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	December 19, 2025
DOCKET	1:24-1934
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to partially dismiss a pro se prisoner's civil-rights complaint. The court granted the motion in part, dismissed the Fifth and Fourteenth Amendment claims without prejudice, allowed leave to amend, and deemed plaintiff's motion to suppress withdrawn.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true, construes the complaint in the plaintiff's favor, disregards legal conclusions, and determines whether the alleged facts plausibly support entitlement to relief. Pro se pleadings are liberally construed.
PRECEDENTIAL VALUE	unpublished district court memorandum; limited persuasive value

TOPICS

- motions to dismiss
- section 1983
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Quick's allegations stated claims under the Fifth and Fourteenth Amendments in addition to an Eighth Amendment excessive-force claim.
2. Whether Quick should be granted leave to amend to clarify the defendants against whom he intended to assert claims.
3. Whether Quick's motion to suppress evidence should be deemed withdrawn for failure to file a supporting brief.

HOLDINGS

1. The Fifth and Fourteenth Amendment claims must be dismissed because the alleged constitutional violations are coextensive with the Eighth Amendment excessive-force claim and therefore are governed by the more-specific-provision rule.
2. The allegations that Gimble pepper-sprayed Quick were sufficient at the pleading stage to state an Eighth Amendment excessive-force claim.
3. Quick was granted leave to file an amended complaint clarifying whether he intended to assert constitutional claims against defendants other than Gimble.

FACTUAL BACKGROUND

Quick alleged that while he was in his prison cell on May 28, 2024, correctional officer Gimble pepper-sprayed him on his head, face, and body. Other officers escorted Quick to a holding cell, where a nurse examined him, but Quick was allegedly left there without being permitted to shower or otherwise remove the pepper spray for an unspecified period. Although the complaint named only Gimble, its prayer for relief sought damages from Gimble and other individuals.

PROCEDURAL HISTORY

Quick filed the action in the Eastern District of Pennsylvania on November 1, 2024. The case was transferred to the Middle District of Pennsylvania on November 12, 2024, reassigned to Judge Mannion on January 21, 2025, and defendant moved to dismiss on March 6, 2025. Quick did not respond to the motion by the applicable deadline.

DISPOSITION

dismissed

CASES CITED

- Fowler v. UPMC Shadyside, 578 F.3d 203, 210-11 (3d Cir. 2009)
- Phillips v. County of Allegheny, 515 F.3d 224, 231 (3d Cir. 2008)

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Sause v. Bauer, 585 U.S. 957, 960 (2018)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Lake v. Arnold, 112 F.3d 682, 689 (3d Cir. 1997)
- Baker v. McCollan, 443 U.S. 137 (1979)
- Betts v. New Castle Youth Development Center, 621 F.3d 249, 260 (3d Cir. 2010)
- United States v. Lanier, 520 U.S. 259, 272 n.7 (1997)