

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

Andrew A. Bills and Bryan Cary v. Bristoll, et al.

Bills v. Bristoll · No. 25-cv-13446 · Decided December 18, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan severed Andrew A. Bills’s claims from Bryan Cary’s claims in a prisoner civil rights action concerning removal from a Suboxone medication-assisted treatment program. The court dismissed Cary without prejudice, directed him to file a separate complaint if he wished to proceed, granted Bills leave to proceed in forma pauperis, and ordered Bills to file an amended complaint limited to his claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Jonathan J.C. Grey
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	December 18, 2025
DOCKET	25-cv-13446
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 initiated jointly by two incarcerated plaintiffs. The court addressed permissive joinder, severed Bills's claims from Cary's, dismissed the complaint without prejudice as to Cary, directed Cary to file a separate complaint if he wished to proceed, granted Bills leave to proceed in forma pauperis, and directed Bills to file an amended complaint.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Andrew A. Bills, Bryan Cary v. Bristoll, et al.

TOPICS

- joinder
- civil procedure
- prisoners rights
- section 1983
- health law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the two incarcerated pro se plaintiffs should remain joined in a single action under Federal Rule of Civil Procedure 20.
2. Whether the court could dismiss the complaint without prejudice as to one misjoined plaintiff and require him to proceed in a separate action.
3. Whether Bills should be permitted to amend his complaint to allege only facts and claims pertaining to him.
4. Whether Bills qualified to proceed in forma pauperis under 28 U.S.C. § 1915.

HOLDINGS

1. The court severed Bills's claims from Cary's and declined to permit the two pro se prisoner plaintiffs to proceed jointly.
2. Misjoinder was not a sufficient basis to dismiss the entire case; the court instead dismissed the complaint without prejudice as to Cary and directed him to file a separate action if he wished to proceed.
3. Bills was directed to file an amended complaint alleging only facts and claims pertaining to him.
4. Bills's application to proceed without prepayment of fees was granted, subject to payment of the full filing fee in installments.

KEY QUOTATIONS

“In sum, prisoners are simply “not in the same situation as non-prisoner joint plaintiffs; prisoners’ circumstances make joint litigation exceptionally difficult.”” (Discussion)

“IT IS FURTHER ORDERED that Bills shall file an amended complaint within thirty (30) days from the date of this order alleging only those facts and claims that pertain to him.” (Conclusion)

FACTUAL BACKGROUND

Andrew A. Bills and Bryan Cary were incarcerated at the Gus Harrison Correctional Facility in Adrian, Michigan, and had been prescribed Suboxone as part of a medication-assisted treatment program for opioid addiction. They alleged that they were removed from the program after receiving misconduct tickets for substance abuse. They further alleged that removal created a serious risk to their health and safety.

PROCEDURAL HISTORY

Bills and Cary filed a joint prisoner civil-rights complaint concerning their removal from a medication-assisted treatment program. The district court determined that joint pro se prisoner litigation presented substantial practical and individualized issues, severed the claims, dismissed Cary without prejudice, and ordered separate pleadings. The court also granted Bills's in forma pauperis application and ordered him to file an amended complaint within thirty days.

DISPOSITION

other

CASES CITED

- Proctor v. Applegate, 661 F. Supp. 2d 743, 780 (E.D. Mich. 2009)
- LaFountain v. Harry, 716 F.3d 944, 951 (6th Cir. 2013)

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