

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Todrick W. Arrington, Jr. v. Matthew J. Gustafson, et al.

Arrington v. Gustafson, Case No. 1:22-cv-226 (W.D. Pa. Feb. 25, 2026) · No. 1:22-cv-226 · Decided February 25, 2026

SUMMARY

This memorandum opinion addresses a motion for summary judgment filed by Erie County Prison officials in Todrick W. Arrington, Jr.'s 42 U.S.C. § 1983 action. Arrington, a former pretrial detainee, alleges that prison officials were deliberately indifferent to his safety and subjected him to unconstitutional conditions, including housing him with another inmate who assaulted him. The court analyzes the claims under the Fourteenth Amendment and concludes, as stated in the excerpt, that the motion will be granted in part and denied in part.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Susan Paradise Baxter
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	February 25, 2026
DOCKET	1:22-cv-226
DISPOSITION	other
PROCEDURAL POSTURE	Defendants Beganics, Tarasovich, Johnston, and Bolt moved for summary judgment on the remaining Fourteenth Amendment deliberate-indifference and failure-to-intervene claims arising from Arrington's pretrial detention. The court also applied Rule 12(b)(6) to allegations that were outside the scope of the earlier conversion to summary judgment.
STANDARD OF REVIEW	Under Rule 12(b)(6), the court accepts well-pleaded factual allegations as true and determines whether the complaint states a facially plausible claim. Under Rule 56, summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law; the evidence and reasonable inferences are viewed in favor of the nonmoving party. A nonmoving party may not rely solely on unsupported pleading allegations once the movant identifies the absence of a genuine factual dispute.

PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive authority only
PARTIES	Todrick W. Arrington, Jr. v. Matthew J. Gustafson, Jerry Stevens, Alex Kissel, Ashley Clark, Michael Beganics, Ryan Tarasovich, Adam Johnston, Shawn Bolt

TOPICS

prisoners rights

section 1983

due process

summary judgment

civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether Arrington plausibly alleged that Bolt and Tarasovich were deliberately indifferent to a substantial risk of serious harm by placing him in a cell with Brown despite his stated safety concerns.
2. Whether Arrington plausibly alleged personal involvement and deliberate indifference by Beganics in connection with his placement in the cell with Brown.
3. Whether Arrington plausibly alleged personal involvement by Johnston in the cell-placement claim and should receive leave to amend.
4. Whether Johnston failed to intervene in violation of the Fourteenth Amendment during Brown's assault.
5. Whether allegations concerning ridicule, insults, intimidation, and an initial strip search stated a constitutional claim.
6. Whether allegations concerning Beganics's alleged use of force and strip search during an October 4, 2020 incident stated a constitutional claim.
7. Whether the court should adjudicate the claim concerning Johnston's allegedly false misconduct report on the pending motion.

HOLDINGS

1. Arrington failed to state a plausible Fourteenth Amendment claim based on alleged verbal harassment, ridicule, insults, intimidation, or a strip search shortly after entering Erie County Prison. Verbal harassment without injury or threat of injury is not, without more, a constitutional deprivation, and the alleged initial strip search was not pleaded as repeated, prolonged, causeless, or otherwise unreasonable.
2. The claims based on the October 4, 2020 incident failed under both Rule 12(b)(6) and Rule 56. Arrington's allegations of rough treatment and that Beganics forced his head or face against a wall did not plausibly establish objectively unreasonable force, and the claim was also abandoned.
3. Arrington stated a plausible Fourteenth Amendment failure-to-protect claim against Bolt and Tarasovich based on allegations that they placed him with Brown despite his repeated warnings that Brown posed a danger and despite an available alternative cell.

4. Arrington failed to state a viable failure-to-protect claim against Beganics because his allegation that Beganics failed to protect him was conclusory and did not supply facts showing Beganics's personal involvement or deliberate indifference.
5. Arrington's supplemental pleading did not allege Johnston's involvement in placing him with Brown, but his affidavit supplied facts that could establish such involvement. The court therefore granted leave to amend the claim against Johnston.
6. Summary judgment was warranted for Johnston on the Fourteenth Amendment failure-to-intervene claim. The body-camera footage showed that Johnston promptly responded, summoned assistance, ordered the inmates to stop fighting, and handcuffed Brown once he could enter the cell; no reasonable jury could find that Johnston violated Arrington's rights by failing to intervene more aggressively or sooner.
7. The court declined to address the sufficiency of the claim concerning Johnston's allegedly false misconduct report because the pending motion did not specifically address that aspect of the pleading. The claim therefore remained in the case at that juncture.

KEY QUOTATIONS

“To prevail on a failure-to-intervene claim, “a plaintiff must show: (1) that the defendant failed or refused to intervene when a constitutional violation took place in his or her presence or with his or her knowledge; and (2) there was a realistic and reasonable opportunity to intervene.”” (23)

“Viewing all evidence, including the video footage, in the light most favorable to Arrington, no reasonable jury could find that Defendant Johnston violated Arrington’s Fourteenth Amendment rights by failing to intervene in a more aggressive or timely manner.” (24)

FACTUAL BACKGROUND

Arrington was detained at Erie County Prison as a pretrial detainee after his arrest in connection with damage to downtown parking meters; he was later acquitted. He alleged that prison officials placed him in a cell with Damien Brown despite his warnings that Brown was violent and posed a danger, and that Brown assaulted him on November 4, 2020. Arrington also alleged that officials ridiculed and strip-searched him, that Beganics used force against him, that Johnston failed to intervene in the assault, and that Johnston issued a false misconduct report. Body-camera footage showed Johnston responding to the altercation, summoning assistance, ordering the inmates to stop, and handcuffing Brown after entering the cell.

PROCEDURAL HISTORY

Arrington filed a civil-rights action after being arrested, detained for more than a year, and acquitted of criminal mischief and riot charges. His First Amended Complaint originally asserted nine counts; after earlier rulings, Count 9 remained against the ECP defendants. The defendants initially moved to dismiss, and the court converted that motion in part to summary judgment after allowing video evidence. The court later permitted the motion to be refiled under Rule 56. The court granted the motion in part, denied it in part, dismissed certain claims with prejudice, and granted leave to amend other claims.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. Arrington was granted leave to amend the failure-to-protect claims against Johnston and, if supported by a good-faith factual basis, Beganics, within the time set by the accompanying order.

CASES CITED

- Kost v. Kozakiewicz, 1 F.3d 176, 183 (3d Cir. 1993)
- U.S. Express Lines Ltd. v. Higgins, 281 F.3d 383, 388 (3d Cir. 2002)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48, 257 (1986)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Rode v. Dellarciprete, 845 F.2d 1195, 1207 (3d Cir. 1988)
- Dooley v. Wetzel, 957 F.3d 366, 374 (3d Cir. 2020)
- Hubbard v. Taylor, 538 F.3d 229, 231-36 (3d Cir. 2008)
- Bell v. Wolfish, 441 U.S. 520, 535, 538-39, 545-46, 549 (1979)
- E.D. v. Sharkey, 928 F.3d 299, 307 (3d Cir. 2019)
- Hope v. Warden York County Prison, 972 F.3d 310, 326 (3d Cir. 2020)
- Gibson v. Flemming, 837 F. App'x 860, 863 (3d Cir. 2020)
- Florence v. Board of Chosen Freeholders of County of Burlington, 566 U.S. 318 (2012)
- Parkell v. Danberg, 833 F.3d 313, 327-30 (3d Cir. 2016)
- Kingsley v. Hendrickson, 576 U.S. 389, 396-97 (2015)
- Hightower v. City of Philadelphia, 130 F.4th 352, 356 (3d Cir. 2025)
- Farmer v. Brennan, 511 U.S. 825, 833-34 (1994)
- Smith v. Mensinger, 293 F.3d 641, 644, 650-51 (3d Cir. 2002)
- El v. City of Pittsburgh, 975 F.3d 327, 335 (3d Cir. 2020)
- Ricks v. Shover, 891 F.3d 468, 479 (3d Cir. 2018)
- Baker v. Monroe Township, 50 F.3d 1186, 1193 (3d Cir. 1995)
- Doug Grant, Inc. v. Greate Bay Casino Corp., 232 F.3d 173, 183-84 (3d Cir. 2000)

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