

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Darryl Debnam v. D. Eckenrode, Food Service Manager, et al.

Debnam · No. 3:25-cv-00055 · Decided January 15, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania dismissed Darryl Debnam's pro se civil rights complaint alleging that prison food-service workers failed to train him to use cooking equipment and caused or contributed to burn injuries. The court dismissed the First Amendment retaliation and Pennsylvania intentional infliction of emotional distress claims, adopted the recommendation to dismiss for failure to state a claim, and overruled the plaintiff's objections. The court granted leave to file an amended complaint within twenty days, warning that failure to do so would result in dismissal.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Stephanie L. Haines
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	January 15, 2026
DOCKET	3:25-cv-00055
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation screening a pro se prisoner's complaint under the Prison Litigation Reform Act. The court overruled the objections, dismissed the complaint without prejudice for failure to state a claim, and granted leave to file an amended complaint.
STANDARD OF REVIEW	The court reviewed the objections to the report and recommendation de novo. It applied the Rule 12(b)(6) plausibility standard and the PLRA screening standards under 28 U.S.C. §§ 1915(e)(2) and 1915A and 42 U.S.C. § 1997e(c)(1).
PRECEDENTIAL VALUE	unpublished district court memorandum order; nonprecedential
PARTIES	Darryl Debnam v. D. Eckenrode, Food Service Manager, Bloom, Scharft, Love

TOPICS

prisoners rights

section 1983

first amendment

cruel and unusual punishment

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

state tort law

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible First Amendment retaliation claim under 42 U.S.C. § 1983.
2. Whether the complaint stated an Eighth Amendment deliberate-indifference claim based on the alleged failure to train Debnam and the alleged requirement that he continue working after his injury.
3. Whether the complaint stated a Pennsylvania claim for intentional infliction of emotional distress.
4. Whether Debnam could amend his complaint after the district court dismissed it for failure to state a claim.

HOLDINGS

1. The complaint failed to state a First Amendment retaliation claim because Debnam did not identify constitutionally protected activity, an adverse action, or facts showing that protected conduct was a motivating factor in a disciplinary decision.
2. The complaint failed to state a Pennsylvania intentional infliction of emotional distress claim because it did not allege conduct sufficiently extreme and outrageous to satisfy the tort's threshold requirement.
3. The district court granted Debnam leave to file an amended complaint because the additional allegations in his objections suggested that his Eighth Amendment claim might have merit, and amendment was not shown to be futile or inequitable.

KEY QUOTATIONS

“if a complaint is vulnerable to [Rule] 12(6)(6) dismissal, a district court must permit a curative amendment, unless an amendment would be inequitable or futile.”

“Plaintiff is reminded that the amended complaint must be complete in all respects and must be a new pleading which stands by itself without reference to the Complaint already filed.”

FACTUAL BACKGROUND

Debnam, a prisoner at SCI-Houtzdale, alleged that food service workers failed to train him to use food-preparation equipment or to follow related safety procedures. On December 31, 2024, a valve malfunctioned while he was draining hot water from a large pot kettle, causing first- and second-degree burns to his left foot and related pain and impairment. He alleged that prison personnel required him to continue working after the injury and threatened consequences for failing to report to work, but some of those allegations appeared for the first time in his objections rather than in the complaint.

PROCEDURAL HISTORY

Debnam filed a pro se complaint alleging First and Eighth Amendment violations and Pennsylvania intentional infliction of emotional distress arising from burns sustained while working with a large cooking kettle at SCI-Houtzdale. Magistrate Judge Keith A. Pesto recommended dismissal without leave to amend in federal court. After Debnam objected, the district court adopted the recommendation of dismissal but rejected the recommendation denying leave to amend.

DISPOSITION

dismissed

CASES CITED

- Grayson v. Mayview State Hospital, 293 F.3d 103, 108 (3d Cir. 2002)
- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Tourscher v. McCullough, 184 F.3d 236, 240 (3d Cir. 1999)
- D'Agostino v. CECOM RDEC, 436 F. App'x 70, 72-73 (3d Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Phillips v. County of Allegheny, 515 F.3d 224, 232, 236 (3d Cir. 2008)
- Haines v. Kerner, 404 U.S. 519, 520-21 (1972)
- Rauser v. Horn, 241 F.3d 330, 333 (3d Cir. 2001)
- Mount Healthy Board of Education v. Doyle, 429 U.S. 274, 287 (1977)
- Suppan v. Dadonna, 203 F.3d 228, 235 (3d Cir. 2000)
- Hoy v. Angelone, 691 A.2d 476, 482 (Pa. Super. Ct. 1997)
- Bryan v. Erie County Office of Children & Youth, 861 F. Supp. 2d 553, 587 (W.D. Pa. 2012)
- Brown v. Astrue, 649 F.3d 193, 195 (3d Cir. 2011)
- Cox v. Keystone Carbon Co., 861 F.2d 390, 394 (3d Cir. 1988)
- Jimenez v. Barnhart, 46 F. App'x 684, 685 (3d Cir. 2002)

OPINION

DEBNAM

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARRYL DEBNAM,)

Plaintiff, VS. Civil Action No. 3:25-ev-55) Judge Stephanie L. Haines D. ECKENRODE, Food
Service Manager,) Magistrate Judge Keith A. Pesto al.,)) Defendants.)

MEMORANDUM ORDER

Presently before the Court is a Complaint filed by pro se Plaintiff, Darryl Debnam ("Plaintiff") (ECF No. 8) alleging claims against four food service workers, D. Eckenrode, Bloom, Scharft, and

Love (collectively “Defendants”), at State Correctional Institution Houtzdale (“SCI- Houtzdale”). Plaintiff asserts that Defendants never trained him to use food preparation equipment or on the safety procedures related to such equipment. (ECF No. 8 at 5). He asserts claims for civil rights violations, including violations of his First and Eighth Amendment rights. (Id. at 3). He seeks \$2 million in compensatory damages and \$10,000 in punitive damages against each defendant for first and second degree burns to his left foot caused by draining hot water from a large pot kettle. (Id. at 5). He also requests recovery of fees and attorney fees. (Ud). This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Federal Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.D. Magistrate Judge Pesto screened Plaintiff’s Complaint under 28 U.S.C. § 1915(e)(2) and issued a Report and Recommendation recommending that Plaintiff’s Complaint be dismissed without leave to amend in federal court, but without prejudice to Plaintiff bringing any state law claim he may have in state court. (ECF No. 9). For the reasons that follow, the Court will adopt in part and reject in part the findings and recommendations of Magistrate Judge Pesto in this matter. Specifically, the Court will adopt Magistrate Judge Pesto’s recommendation that Plaintiff’s Complaint be dismissed for failure to state a claim but will reject his recommendation that Plaintiff not be granted leave to amend in federal court. Instead, Plaintiff will be given the opportunity to file an amended complaint, which must comply with the requirements of the Federal Rules of Civil Procedure. Failure to do so will result in the dismissal of this case with prejudice.

A. Standard of Review The Prisoner Litigation Reform Act (“PLRA”) requires courts to screen complaints brought by prisoners in all in forma pauperis cases and to dismiss cases that are frivolous or that fail to state a claim on which relief may be granted.’ 28 U.S.C. §§ 1915(e)(2), 1915A; and 42 U.S.C. § 1997e(c)(1); see also *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108 (3d Cir. 2002). These statutes require the Court to review the Complaint and sua sponte dismiss any claims that are frivolous or malicious or fail to state a claim upon which relief may be granted. “[A] complaint...is frivolous where it lacks an arguable basis either in law or fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The legal standard for dismissing a complaint under these statutes for failure to state a claim is identical to the legal standard used when ruling on a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). See *Tourscher v. McCullough*, 184 F.3d 236, 240 (3d Cir. 1999); see also *D’Agostino v. CECOM RDEC*, 436 Fed. Appx. 70, 72-73 (3d Cir. 2011). In order to survive a motion to dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure, a complaint, including one filed by a pro se litigant, must include factual allegations that “state a claim to relief that is plausible on its face.” *Ashcroft v. Iqbal*, 556 US. | See ECF No. 3, Plaintiff’s Motion for Leave to Proceed in forma pauperis. Memorandum Order granting Plaintiff’s Motion for Leave to Proceed in forma pauperis (ECF No. 7). 662, 678 (2009) (citing *Twombly*, 550 U.S. at 570). “(Without some factual allegation in the complaint, a claimant cannot satisfy the requirement that he or she provide not only ‘fair notice’ but also the ‘grounds’ on which the claim rests.” *Phillips v. County of Allegheny*, 515 F.3d 224, 232 (3d Cir. 2008). Applying this standard, a court must reject legal conclusions unsupported by

factual allegations, “[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements;” “labels and conclusions;” and “naked assertion[s]’ devoid of ‘further factual enhancement.” Jgbal, 556 U.S. at 678-79 (citations omitted). Mere “possibilities” of misconduct are insufficient. Jd. at 679. Nevertheless, because Plaintiff is proceeding pro se, his allegations, “however inartfully pleaded,” must be held to “less stringent standards than formal pleadings drafted by lawyers.” Haines v. Kerner, 404 U.S. 519, 520-521 (1972). Moreover, under the liberal pleading rules, during the initial stages of litigation, a district court should construe all allegations in a complaint in favor of the complainant. B. Discussion . Pursuant to 42 U.S.C. § 1983, Plaintiff asserts that Defendants violated his First and Eighth Amendment rights by never training him to use the cooking equipment or on safety procedures related to such equipment. (ECF No. 8 at 5). On December 31, 2024, Plaintiff was draining hot water from a large pot kettle when the valve malfunctioned and hot water spilled onto his left foot. (id.). He alleges that he suffered the following injuries: first and second degree burns to his left foot; daily pain; impaired functioning and organ functioning; swelling; loss of feeling, skin, a toenail, sleep; and fear. (/d.). He requests \$2 million in compensation, \$10,000 in punitive damages from each defendant, recovery of attorney fees, fees in general, and requests a jury trial. (d.). Magistrate Judge Pesto filed a Report and Recommendation (ECF No. 9) recommending that Plaintiffs Complaint (ECF No. 8) be dismissed for failure to state a claim without leave to amend in federal court, but with leave to amend for re-filing in state court. Plaintiff was advised of the fourteen-day time period to file objections to the Report and Recommendation. (ECF No. 9 at 6); see 28 U.S.C. § 636 (b)(1)(B) and (C) and Local Civil Rule 72.D.2. The Court notes that Plaintiff’s Complaint (ECF No. 8) fails to set forth any facts supporting a violation of his First Amendment rights. Plaintiff alleges that his First Amendment rights were violated by Defendants in the basis for jurisdiction section of his Complaint. (/d. at 3). He also notes “Retaliation” on the caption of his Complaint. Ud. at 1). The Court construes this as Plaintiff asserting a claim for Retaliation pursuant to the First Amendment. Such a claim requires Plaintiff satisfy three elements: (1) a plaintiff must prove that he was engaged in a constitutionally protected activity, Rauser. y. Horn, 241 F.3d 330, 333 (3d Cir. 2001); (2) an inmate plaintiff must demonstrate that he “cuffered some ‘adverse action’ at the hands of prison officials” id. (citation omitted); and (3) a prisoner plaintiff must prove that “his constitutionally protected conduct was ‘a motivating factor’ in the decision to discipline him.” Jd. at 333 (quoting Mount Healthy Bd. of Educ. v. Doyle, 429 US. 274, 287 (1977)); Suppan v. Dadonna, 203 F.3d 228, 235 (3d Cir.2000). Here, Plaintiff fails to specify what constitutionally protected activity he was allegedly involved in and how that was a motivating factor in the decision to discipline him. Plaintiff appears to have intended to allege more facts in his Complaint, but he failed to attach the additional document to his filing. (See ECF No. 8 at 5 (stating “see attach” and not attaching any further document to his Complaint)). Accordingly, the Court dismisses Plaintiff’s claim for violation of his First Amendment rights. Likewise, Plaintiff’s claim for intentional/reckless infliction of emotional distress (“IIED”), that he notes on the caption of his

Complaint, will also be dismissed. (ECF No. 8 at 1). Such a claim under Pennsylvania law” requires the following elements: (1) the conduct must be extreme and outrageous; (2) the conduct must be intentional or reckless; (3) the conduct must cause emotional distress; and (4) the emotional distress must be severe. *Hoy v. Angelone*, 691 A.2d 476, 482 (Pa. Super. 1997). Here, it seems Plaintiff is alleging that Defendants’ actions in ordering him to continue to work after he injured himself caused him emotional distress in the form of loss of sleep. (ECF No. 8 at 5). However, Plaintiff does not allege actions on part of the Defendants that rise to the level of extreme or outrageous conduct necessary to support this claim. Indeed, the extreme and outrageous requirement of an NED claim is a higher standard than “deliberate indifference.” See *Bryan v. Erie Cty. Office of Children & Youth*, 861 F. Supp. 2d 553, 587 (W.D. Pa. 2012) (stating “[the tort of intentional infliction of emotional distress requires a showing beyond the threshold required by deliberate indifference in the § 1983 context.”). As Plaintiff does not successfully allege an Eighth Amendment deliberate indifference claim, for the reasons stated in Judge Pesto’s Report and Recommendation, the Court will dismiss Plaintiff’s ITED claim. Plaintiff filed Objections to Judge Pesto’s Report and Recommendation (ECF No. 10), contending that his Eighth Amendment claim should not be dismissed because Defendant Bloom, Plaintiffs CSSI Supervisor, showed deliberate indifference to him by forcing him to work as a cook, and threatening sanctions if he failed to show up for work, while his foot was healing from burn injuries. (ECF No. 10). Plaintiff also recounts the events leading to his injuries in his Objections. (/d.). The Court reviews Plaintiff’s Objections de novo. See *Brown v. Astrue*, 649 F.3d 193, 195 (3d Cir. 2011). The Court finds no merit in Plaintiff’s Objections as Plaintiff cannot raise a new legal theory for the first time in his objections or otherwise amend his Complaint in his Objections. 2 ITED is a state law tort claim and Pennsylvania substantive law governs it. See *Cox v. Keystone Carbon Co.*, 861 F.2d 390, 394 (3d Cir. 1988). *Grayson*, 293 F.3d at 109 n.9 (stating a plaintiff may not effectively amend a complaint “through any document short of an amended pleading.”), *Jimenez v. Barnhart*, 46 F. App’x 684, 685 (3d Cir. 2002) (stating issues raised initially in the objections to the magistrate judge’s report and recommendation are deemed waived)). Here, Plaintiff alleges for the first time in his Objections that Defendant Bloom forced him to come to work after his injury, threatened him with consequences if he failed to do so, and sanctioned him for missing work due to pain. (ECF No. 10 at 3). In his Complaint, Plaintiff’s Eighth Amendment claim was based on Defendants ordering him to continue to work the day of his injury for a time, until Plaintiff requested a grievance and medical. (ECF No. 8 at 5). Plaintiff cannot amend his Complaint through objections and the Court thus finds no merit in Plaintiff’s Objections. For the aforementioned reasons, the Court dismisses all of Plaintiff’s claims. The Third Circuit instructs that “if a complaint is vulnerable to [Rule] 12(6)(6) dismissal, a district court must permit a curative amendment, unless an amendment would be inequitable or futile.” *Phillips v. Cnty. Of Allegheny*, 515 F.3d 224, 236 (3d Cir. 2008). Here, the additional allegations in Plaintiffs Objections show that his Eighth Amendment claim may have merit and the Court will

allow Plaintiff leave to file an amended complaint. Plaintiff is reminded that the amended complaint must be complete in all respects and must be a new pleading which stands by itself without reference to the Complaint already filed. If Plaintiff fails to timely file an amended complaint, this case will be closed. An appropriate Order follows.

ORDER

AND NOW, this /*} day of January, 2026, IT IS ORDERED that Magistrate Judge Pesto's Report and Recommendation (ECF No. 9), is adopted in part and rejected in part as the Opinion of the Court and; IT IS FURTHER ORDERED that Plaintiffs Objections (ECF No. 10) are OVERRULED; IT IS FURTHER ORDERED that Plaintiff's Complaint (ECF No. 8) is hereby DISMISSED WITHOUT PREJUDICE. Within twenty (20) days from the date of this Order, Plaintiff may file an amended complaint in this case in accordance with the Federal Rules of Civil Procedure. Failure to timely file an amended complaint in this case in accordance with this Court's Orders will result in the dismissal of this case. A □ "5 PREY ait (Pps " Stephanie L. Haines United States District Judge Notice by US Mail to: Darryl Debnam QR1097 SCI Coal Township 1 Kelley Drive Coal Township, PA 17866 Pro Se