

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Freeman Bankston v. Bradley Eckbert, et al.

Civil Action No. 3:25-cv-14 (W.D. Pa. Jan. 2026) · No. 3:25-cv-14 · Decided February 2, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania adopted a magistrate judge’s Report and Recommendation and granted defendants’ motion to dismiss. The court dismissed the plaintiff’s Eighth Amendment claim with prejudice, dismissed the negligence claim without prejudice to refiling in state court, and directed the Clerk to close the case.

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	February 2, 2026
DOCKET	3:25-cv-14
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se action under 42 U.S.C. § 1983 alleging Eighth Amendment violations and negligence arising from ingestion of food that may have contained a foreign object. Moving defendants moved to dismiss for failure to state a claim. The matter was referred to a magistrate judge, whose Report and Recommendation recommended dismissal of the federal claim with prejudice and dismissal of the negligence claim without prejudice for refiling in state court. No objections were filed.
STANDARD OF REVIEW	Reasoned consideration of the Report and Recommendation because no timely and specific objections were filed.
PRECEDENTIAL VALUE	Unpublished memorandum order; precedential status not stated in the opinion.
PARTIES	Freeman Bankston v. Bradley Eckbert, Anne Saint, Market Square [John Doe]

TOPICS

motions to dismiss

cruel and unusual punishment

section 1983

prisoners rights

negligence

PRACTICE AREAS

Civil procedure

Prisoner civil rights

Constitutional law

Negligence

QUESTIONS PRESENTED

1. Whether the complaint stated an Eighth Amendment claim based on the alleged ingestion of a possible foreign object in prison food.
2. Whether the negligence claim should be dismissed for failure to state a claim or because the court should decline supplemental jurisdiction.
3. Whether the Report and Recommendation should be adopted when no timely and specific objections were filed.

HOLDINGS

1. A one-time allegation that prison food may have contained a foreign object did not state a valid Eighth Amendment claim; the claim was dismissed with prejudice.
2. The court declined supplemental jurisdiction over the negligence claim under 28 U.S.C. § 1367(c)(3) and dismissed it without prejudice to refiling in state court.
3. The district court adopted the magistrate judge's Report and Recommendation in whole after reviewing it under the applicable reasoned-consideration standard.

FACTUAL BACKGROUND

While incarcerated at SCI-Houtzdale, Freeman Bankston allegedly ingested food that may have contained a foreign object and claimed injuries to his mouth, throat, and gastrointestinal tract. He alleged that Department of Corrections employees Bradley Eckbert and Anne Saint, as well as a food provider identified as Market Square [John Doe], were negligent and deliberately indifferent to unsafe living conditions in violation of the Eighth Amendment.

PROCEDURAL HISTORY

The magistrate judge issued a Report and Recommendation on January 5, 2026, recommending that defendants' motion to dismiss be granted. The parties were given until January 20, 2026, to object, but no objections were filed. The district court applied a reasoned-consideration standard, adopted the Report and Recommendation in full, granted the motion to dismiss, dismissed the Eighth Amendment claim with prejudice, dismissed the negligence claim without prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017)

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