

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Younkin v. Superintendent Eric Tice, et al.

Younkin · No. 3:21-cv-76-SLH-KAP · Decided January 6, 2026

SUMMARY

In this memorandum order, the court directs the parties to identify evidence concerning causation and exhaustion in a prisoner’s deliberate-indifference claim against a nurse. The court focuses on the plaintiff’s lack of expert testimony, the alleged suicide attempt and resulting injuries, and whether the plaintiff exhausted administrative remedies before filing suit. Responses and any related Rule 56(d) discovery motions are due February 9, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Keith A. Pesto
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	January 6, 2026
DOCKET	3:21-cv-76-SLH-KAP
DISPOSITION	other
PROCEDURAL POSTURE	After screening the complaint and amended complaint under the Prison Litigation Reform Act, the court accepted a recommendation allowing the deliberate-indifference claim against nurse Kelly to proceed while dismissing claims against other defendants. The court issued an interlocutory memorandum order directing the parties to submit or identify evidence concerning causation, injury, expert testimony, and exhaustion before considering possible sua sponte summary judgment.
STANDARD OF REVIEW	The order discusses the summary-judgment standard and the court's authority to consider summary judgment sua sponte after notice, but it does not decide summary judgment.
PRECEDENTIAL VALUE	unpublished

TOPICS

- summary judgment
- expert testimony
- section 1983
- prisoners rights
- civil procedure

PRACTICE AREAS

prisoner civil rights

civil procedure

medical causation

summary judgment

QUESTIONS PRESENTED

1. Whether Younkin can produce competent evidence, without expert testimony, that he suffered the alleged vocal-cord injury and that Kelly's conduct plausibly caused the suicide attempt.
2. Whether Younkin exhausted his administrative remedies as to his claim against Kelly before filing suit.
3. Whether the court may consider a sua sponte summary-judgment procedure after notifying the parties and giving them an opportunity to submit relevant evidence.

HOLDINGS

1. The court directed the parties to submit or identify all evidence bearing on medical causation, injury, and exhaustion, and allowed them to seek relevant discovery under Rule 56(d), before the court determines whether summary judgment is appropriate.

KEY QUOTATIONS

"In almost any medical matter where causation is more complicated than trauma immediately causing broken bones or damages to organs and tissue, expert evidence is necessary." (at 1)

"Accordingly, I direct the parties to submit or point to the existence of all evidence they contend shows:" (at 2)

FACTUAL BACKGROUND

Younkin alleged that nurse Kelly falsely reported that he was not taking psychotropic medication, causing a doctor to stop his prescriptions on October 8, 2020. He claimed that the resulting pain led him to attempt suicide on October 18 by tying a sheet around his neck, allegedly injuring his vocal cords. A grievance filed on the evening of October 8 challenged the medication stoppage but did not identify Kelly or allege malicious intent, and the record did not establish whether Younkin reported the alleged injury or exhausted a claim against Kelly.

PROCEDURAL HISTORY

Younkin, a prisoner proceeding pro se, filed a § 1983 complaint alleging that nurse Kelly maliciously reported that he was not taking psychotropic medication, leading to discontinuation of the medication and a subsequent suicide attempt. Following screening under 28 U.S.C. § 1915A, the magistrate judge recommended that the claim against Kelly proceed and that claims against Smucker, Tice, and Hyde be dismissed; the district court accepted that recommendation, and Younkin objected only to dismissal of Smucker. Because Kelly had answered and Younkin disavowed expert testimony, the court directed both sides to identify evidence supporting medical causation and exhaustion and permitted any relevant Rule 56(d) discovery request.

DISPOSITION

other

CASES CITED

- Estelle v. Gamble, 429 U.S. 97, 104-105 (1976)
- Celotex Corp. v. Catrett, 477 U.S. 317, 326 (1986)
- Gibson v. Mayor & Council of City of Wilmington, 355 F.3d 215, 224 (3d Cir. 2004)
- Couden v. Duffy, 446 F.3d 483, 500 (3d Cir. 2006)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA PAUL YOUNKIN,; Plaintiff: v.: Case No. 3:21-cv-76-SLH-KAP SUPERINTENDENT ERIC TICE, et al.,; Defendants: Memorandum Order In April 2021 plaintiff Younkin, then an inmate at S.C.I. Somerset, filed a 12-page handwritten pro se complaint dated March 15, 2021, alleging that a defendant nurse Kelly falsely reported, out of malice toward Younkin for an incident involving Kelly's boyfriend, that Younkin was not taking his psychotropic medication.

This led a doctor to stop Younkin's prescriptions on October 8, 2020, which Younkin alleges caused aches and pain "which drove Plaintiff to attempt suicide on 10/18/20." Complaint ¶21. Younkin alleged that this attempt consisted of him tying a sheet around his neck, which allegedly caused "broke vocal cords" so that he could not speak for several days. Id., ¶12.

Upon screening of the complaint and subsequently the amended complaint as required by the Prison Litigation Reform Act, see 28 U.S.C. § 1915A, I recommended that the claim against Kelly proceed, see Estelle v. Gamble, 429 U.S. 97, 104–105 (1976), but that the claim against the doctor who stopped the prescription (defendant Smucker) and the tag-along claims against the warden (defendant Tice) and medical administrator (defendant Hyde) in their official capacities for failing to intervene in his medical care should be dismissed.

ECF no. 50. Younkin objected only to the dismissal of Smucker as a defendant. ECF no. 52. The court has accepted my recommendation. ECF no. 89. Defendant Kelly has already filed an answer, see ECF no. 44, so the portion of the Court's order directing service on her is superfluous and can be disregarded. Younkin has already declared that he has no expert witness and contends none is necessary.

ECF no. 16. But since he contends that Kelly's actions caused him injury he must prove by competent evidence that a jury properly instructed in the law could find the stopping of his prescription to be the cause of his injuries.

In almost any medical matter where causation is more complicated than trauma immediately causing broken bones or damages to organs and tissue, expert evidence is necessary. An Estelle v. Gamble claim usually focuses on the existence or not of evidence of a breach of care, but as this

case illustrates sometimes the dispositive issue is finding competent evidence that the alleged breach caused the alleged injury.

Second, according to the exhibits Younkin attached to the complaint Younkin grieved the stopping of his prescription in a grievance (#893289) filed the very evening 1 of the stoppage on October 8, 2020. That grievance, which did not mention Kelly and which said nothing about a malicious intent behind the stoppage, obviously preceded Younkin's alleged injuries by approximately two weeks.

It is not clear that any grievance was filed about Kelly's malicious report causing the alleged suicide attempt that is the basis for this suit or whether Younkin even brought any alleged injury to the attention of anyone before filing a complaint in federal court.

The PLRA requires the exhaustion of a claim before filing suit, and filing an inadequate or irrelevant grievance may be inadequate to exhaust a claim. Under Fed.R.Civ.P. 56(f)(3) and *Celotex Corp. v. Catrett*, 477 U.S. 317, 326 (1986), a court has the power to issue a sua sponte order for summary judgment so long as the parties are notified that they must come forward with all relevant evidence.

And see *Gibson v. Mayor & Council of City of Wilmington*, 355 F.3d 215, 224 (3d Cir.2004) (affirming sua sponte grant of summary judgment without notice on the grounds that notice may not be necessary in the presence of a fully developed record, or when the decision is based on a purely legal issue); *Couden v. Duffy*, 446 F.3d 483, 500 (3d Cir.2006) (affirming sua sponte grant of summary judgment to nonmoving parties).

Accordingly, I direct the parties to submit or point to the existence of all evidence they contend shows: 1) whether in light of Younkin's disavowal of expert testimony Younkin can produce any competent evidence that he suffered any injury ("broke vocal cords" in a suicide attempt on October 18, 2020) and that Kelly's alleged actions could plausibly be found to have caused the suicide attempt alleged by Younkin; and 2) whether Younkin exhausted his administrative remedies as to any claim against Kelly before filing his complaint.

The parties' responses, including any motion for relevant discovery under Fed.R.Civ.P. 56(d), are due February 9, 2026. es DATE: January 6, 2026 Keith A. Pesto, United States Magistrate Judge Notice to counsel by ECF and by U.S. Mail to: Paul Younkin LM-8784 S.C.I. Smithfield 1120 Pike Street Huntingdon, PA 16652