

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Shuhaiber v. Sood, Schwarz, Pfister, and Nicholson

Shuhaiber · No. 18-cv-1370 · Decided January 26, 2026

SUMMARY

The United States District Court for the Northern District of Illinois grants summary judgment to former and current wardens in an incarcerated plaintiff's 42 U.S.C. § 1983 deliberate-indifference claim concerning treatment of celiac disease. The court denies summary judgment to the medical defendants, finding genuine disputes regarding the plaintiff's disclosure of his condition, the failure to provide a gluten-free diet, specialist referral, and prior medical records. The case proceeds against the medical defendants under the Eighth Amendment.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	John Robert Blakey
JURISDICTION	United States District Court for the Northern District of Illinois
DECIDED	January 26, 2026
DOCKET	18-cv-1370
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 alleging that prison wardens and medical personnel were deliberately indifferent to his celiac disease in violation of the Eighth Amendment. The Warden Defendants and Wexford medical Defendants separately moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court viewed the facts and reasonable inferences in the light most favorable to the nonmoving party, but required evidence on which a reasonable jury could find for that party.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive rather than precedential

TOPICS

section 1983 prisoners rights cruel and unusual punishment summary judgment civil procedure

PRACTICE AREAS

civil rights prisoner litigation constitutional law civil procedure medical malpractice

QUESTIONS PRESENTED

1. Whether the Warden Defendants were entitled to summary judgment because the record failed to show their personal involvement in, or knowledge of, the alleged Eighth Amendment violation.
2. Whether Dr. Sood and P.A. Schwarz were entitled to summary judgment on Plaintiff's Eighth Amendment deliberate-indifference claim concerning failure to prescribe a gluten-free diet.
3. Whether Dr. Sood and P.A. Schwarz were entitled to summary judgment concerning their alleged failure to refer Plaintiff to a specialist.
4. Whether Dr. Sood and P.A. Schwarz were entitled to summary judgment concerning their alleged failure to obtain and review Plaintiff's prior medical records.

HOLDINGS

1. The Warden Defendants were entitled to summary judgment because Plaintiff presented no evidence that either warden personally participated in, knew of, or consented to the alleged constitutional deprivation.
2. Summary judgment was inappropriate because genuine disputes of material fact existed concerning when the defendants learned of Plaintiff's celiac disease, the appropriate treatment for that condition, and whether failing to prescribe a gluten-free diet constituted deliberate indifference.
3. Summary judgment was inappropriate because a reasonable jury could find that the defendants' failure to investigate Plaintiff's celiac disease and refer him to a specialist was blatantly inappropriate and constituted deliberate indifference.
4. Summary judgment was inappropriate because a genuine dispute existed concerning whether the defendants' failure to request and review Plaintiff's prior medical records radically departed from accepted medical standards and constituted deliberate indifference.

KEY QUOTATIONS

“For the reasons explained below, this Court grants the Warden Defendants’ motion for summary judgment and denies the Wexford Defendants’ motion for summary judgment.”

“Therefore, a genuine issue of material fact exists, and summary judgment remains inappropriate at this stage.”

“The Court directs the Clerk to enter judgment in favor of the Warden Defendants.”

FACTUAL BACKGROUND

Plaintiff, who had been diagnosed with celiac disease before entering Illinois Department of Corrections custody, was transferred to Stateville in August 2017. He contended that he informed medical personnel of his condition and repeatedly requested a gluten-free diet, but Dr. Sood and P.A. Schwarz neither prescribed such a diet, referred him to a specialist, nor obtained his prior medical records. Plaintiff also submitted grievances concerning his diet, but the wardens did not personally review them and delegated grievance review to other officials. The parties presented conflicting evidence concerning when the medical defendants learned of the diagnosis and whether accepted medical standards required a gluten-free diet, specialist referral, or review of prior records.

PROCEDURAL HISTORY

Plaintiff initially sued numerous defendants, later voluntarily dismissing several parties. Two claims remained: an Eighth Amendment claim against the wardens based on their alleged handling of diet-related grievances and an Eighth Amendment medical-care claim against Dr. Sood and P.A. Schwarz. The court granted summary judgment to the Warden Defendants, denied summary judgment to the Wexford Defendants, directed entry of judgment for the Warden Defendants, and allowed the claim against the Wexford Defendants to proceed.

DISPOSITION

other

CASES CITED

- Cady v. Sheahan, 467 F.3d 1057, 1060–61 (7th Cir. 2006)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252, 255 (1986)
- Farmer v. Brennan, 511 U.S. 825, 828, 834, 836–38, 844 (1994)
- Petties v. Carter, 836 F.3d 722, 728, 730–31 (7th Cir. 2016) (en banc)
- Gentry v. Duckworth, 65 F.3d 555, 561 (7th Cir. 1995)
- Kuhn v. Goodlow, 678 F.3d 552, 555–56 (7th Cir. 2012)
- Williams v. Shah, 927 F.3d 476, 482 (7th Cir. 2019)
- Dupree v. Hardy, 960 N.E.2d 1, 8 (Ill. App. Ct. 2011)
- Birch v. Jones, 02-cv-2094, 2004 WL 2125416, at *7 (N.D. Ill. Sept. 22, 2004)
- Goodman v. Carter, No. 00-cv-0948, 2001 WL 755137, at *5 (N.D. Ill. July 2, 2001)
- Stockton v. Milwaukee Cnty., 44 F.4th 605, 619 (7th Cir. 2022)
- Goodloe v. Sood, 947 F.3d 1026, 1030–31 (7th Cir. 2020)
- Vance v. Peters, 97 F.3d 987, 992 (7th Cir. 1996)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- McGee v. Adams, 721 F.3d 474, 481 (7th Cir. 2013)
- Campbell v. Kallas, 936 F.3d 536, 545 (7th Cir. 2019)
- Sain v. Wood, 512 F.3d 886, 894–95 (7th Cir. 2008)

- *Clemons v. Wexford Health Sources, Inc.*, 106 F.4th 628, 635–36 (7th Cir. 2024)
- *Whiting v. Wexford Health Sources, Inc.*, 839 F.3d 658, 663 (7th Cir. 2016)
- *Pyles v. Fahim*, 771 F.3d 403, 411–12 (7th Cir. 2014)

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