

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Vidal v. Venettozzi

No. 24-2548 (2d Cir. Apr. 1, 2026) · No. 24-2548 · Decided April 1, 2026

SUMMARY

The United States Court of Appeals for the Second Circuit considers whether Joseph Vidal’s disciplinary segregation in a special housing unit implicated a protected liberty interest under the Fourteenth Amendment. The court holds that the duration of his disciplinary segregation constituted an atypical and significant hardship based on duration alone, triggering procedural due process protections. It vacates the district court’s summary judgment and remands for further proceedings.

CASE DETAILS

COURT	United States Court of Appeals for the Second Circuit
WRITING FOR THE COURT	Robinson, Circuit Judge; Merriam, Circuit Judge
JURISDICTION	United States Court of Appeals for the Second Circuit
DECIDED	April 1, 2026
DOCKET	24-2548
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff-Appellant appealed from the Southern District of New York’s grant of summary judgment to New York Department of Corrections and Community Supervision officials on a 42 U.S.C. § 1983 Fourteenth Amendment procedural due process claim arising from a prison disciplinary hearing.
STANDARD OF REVIEW	De novo review of the grant of summary judgment, construing all evidence and reasonable inferences in favor of the nonmoving party.
PRECEDENTIAL VALUE	Published and precedential Second Circuit opinion
PARTIES	Joseph Vidal v. Donald E. Venettozzi, Eric Gutwein, Wayne Carroll, Bryan P. Anspach

TOPICS

- procedural due process
- prisoners rights
- standard of review
- appellate procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Vidal's disciplinary segregation in the SHU constituted an atypical and significant hardship sufficient to implicate a protected liberty interest under the Fourteenth Amendment and *Sandin v. Conner*.
2. Whether the duration of Vidal's disciplinary segregation alone was sufficient to trigger procedural due process protections.
3. Whether the district court's summary judgment ruling should be vacated and the case remanded for consideration of qualified immunity and personal involvement issues not addressed below.

HOLDINGS

1. Vidal's disciplinary segregation constituted an atypical and significant hardship in relation to the ordinary incidents of prison life and therefore implicated a protected liberty interest under the Fourteenth Amendment.
2. The duration of Vidal's disciplinary segregation alone was sufficient to trigger a protected liberty interest, regardless of whether the relevant period was measured as 270 days imposed, 258 days served in the SHU from the incident through the sentence, or 180 days actually served under the challenged sentence.
3. The district court's grant of summary judgment was vacated and the case was remanded for further proceedings.

KEY QUOTATIONS

"We do not suggest that 180 days is a floor below which duration alone cannot implicate a liberty interest under normal SHU conditions." (25)

"As in Colon, we conclude that "wherever the durational line is ultimately drawn," 180 days plainly "satisfies the standard."" (25)

"Vidal's term of disciplinary segregation—whether we focus on the 270 days imposed, the 180 days served, or any other potentially applicable length of confinement—constitutes an atypical and significant hardship based on duration alone and thus implicates a liberty interest that triggers due process protections." (4)

FACTUAL BACKGROUND

While incarcerated at Green Haven Correctional Facility, Joseph Vidal was charged with violent conduct, creating a disturbance, assault on staff, and refusing a direct order after a March 6, 2015 altercation involving correctional officers. At his disciplinary hearing, Vidal alleged that officials failed to secure witnesses, the A-Block logbook, DOCCS Directive #4913, and other documentary evidence, and that the hearing officer denied his requests to call witnesses and present documents. Vidal was found guilty and sentenced to 270 days in disciplinary segregation in the SHU, ultimately serving 180 days under that sentence and at least 258 days in the SHU when related confinement was included.

PROCEDURAL HISTORY

Vidal alleged that prison officials denied him the opportunity to call witnesses and present documentary evidence during a disciplinary hearing that resulted in a 270-day SHU sentence. The district court granted defendants summary judgment, concluding that the sentence and confinement did not implicate a protected liberty interest under *Sandin v. Conner*. The Second Circuit vacated and remanded, leaving qualified immunity and personal-involvement issues for the district court.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Vacate the summary judgment and remand for further proceedings consistent with the opinion, including consideration of Defendant Venettozzi's qualified-immunity defense and Defendant Anspach's personal-involvement argument.

CASES CITED

- *Sandin v. Conner*, 515 U.S. 472 (1995)
- *Colon v. Coughlin*, 58 F.3d 865 (2d Cir. 1995)
- *Tangreti v. Bachmann*, 983 F.3d 609 (2d Cir. 2020)
- *Vidal v. Annucci*, 149 A.D.3d 1366 (N.Y. App. Div. 3d Dep't 2017)
- *Cruz v. Gomez*, 202 F.3d 593 (2d Cir. 2000)
- *Sotomayor v. City of New York*, 713 F.3d 163 (2d Cir. 2013)
- *Taylor v. Rodriguez*, 238 F.3d 188 (2d Cir. 2001)
- *Welch v. Bartlett*, 196 F.3d 389 (2d Cir. 1999)
- *Wilkinson v. Austin*, 545 U.S. 209 (2005)
- *Wolff v. McDonnell*, 418 U.S. 539 (1974)
- *Palmer v. Richards*, 364 F.3d 60 (2d Cir. 2004)
- *Sealey v. Giltner*, 197 F.3d 578 (2d Cir. 1999)
- *Kalwasinski v. Morse*, 201 F.3d 103 (2d Cir. 1999)
- *Brooks v. DiFasi*, 112 F.3d 46 (2d Cir. 1997)
- *Colon v. Howard*, 215 F.3d 227 (2d Cir. 2000)
- *Sims v. Artuz*, 230 F.3d 14 (2d Cir. 2000)
- *Ortiz v. McBride*, 323 F.3d 191 (2d Cir. 2003)
- *J.S. v. T'Kach*, 714 F.3d 99 (2d Cir. 2013)
- *Walker v. Bellnier*, 146 F.4th 228 (2d Cir. 2025)
- *Ortiz v. McBride*, 380 F.3d 649 (2d Cir. 2004)
- *Baltas v. Chapdelaine*, 153 F.4th 328 (2d Cir. 2025)

- *Giano v. Selsky*, 238 F.3d 223 (2d Cir. 2001)
- *Hynes v. Squillace*, 143 F.3d 653 (2d Cir. 1998)
- *Porter v. Clarke*, 923 F.3d 348 (4th Cir. 2019), as amended (May 6, 2019)
- *Palakovic v. Wetzel*, 854 F.3d 209 (3d Cir. 2017)
- *Perry v. Spencer*, 94 F.4th 136 (1st Cir. 2024)
- *McLeod v. Jewish Guild for the Blind*, 864 F.3d 154 (2d Cir. 2017)

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