

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, HAMMOND DIVISION

Alexander Weatherspoon v. Kenny, et al.

Weatherspoon · No. 2:25-CV-574-PPS-JEM · Decided May 12, 2026

SUMMARY

The United States District Court for the Northern District of Indiana screened Alexander Weatherspoon’s amended 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A. The court allowed claims to proceed against four defendants for allegedly failing to assign him a bottom bunk and for excessive force involving a taser, while dismissing the remaining claims and defendants. The order was entered on May 12, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, Hammond Division
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana, Hammond Division
DECIDED	May 12, 2026
DOCKET	2:25-CV-574-PPS-JEM
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se prisoner's amended complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner's complaint that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from an immune defendant. At the pleading stage, the complaint must state a claim that is plausible on its face, and allegations by a pro se litigant receive liberal construction.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Alexander Weatherspoon v. Kenny, et al.

TOPICS

section 1983

prisoners rights

fourteenth amendment

due process

civil rights

PRACTICE AREAS

Civil rights

Prisoner litigation

Constitutional law

Federal civil procedure

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged a Fourteenth Amendment conditions-of-confinement claim against officials who allegedly knew of Weatherspoon's need for a bottom bunk but failed to reassign him.
2. Whether the complaint stated supervisory-liability claims against high-ranking officials based solely on their positions and alleged general oversight responsibilities.
3. Whether the complaint stated claims against jail guards and nurses based on their knowledge of the bunk problem and alleged failure to secure a bed reassignment.
4. Whether the Tippecanoe County Jail was a suable entity under 42 U.S.C. § 1983.
5. Whether the complaint plausibly alleged a Fourteenth Amendment excessive-force claim against Officer Clark based on the alleged taser use.

HOLDINGS

1. The amended complaint plausibly alleged a Fourteenth Amendment claim against Captain Miller, Assistant Jail Commander Carrie Morgan, and Chief Deputy Terry Ruley because they allegedly knew of Weatherspoon's seizure disorder and need for a bottom bunk, had authority to reassign him, and failed to do so, causing his injuries.
2. The complaint failed to state claims against the Tippecanoe County Sheriff and the Chief of the Lafayette Police Department based only on their supervisory positions and alleged responsibility to oversee officers.
3. The complaint failed to state damages claims against the jail guards and nurses based on their knowledge of the bunk problem or alleged failure to cause a reassignment.
4. The Tippecanoe County Jail could not be sued under § 1983 because it is a building rather than a person or policy-making entity.
5. The complaint plausibly alleged an excessive-force claim against Officer Clark based on the alleged use of a taser against Weatherspoon after he fell, when he was allegedly injured and not posing a threat.

KEY QUOTATIONS

“To proceed beyond the pleading stage, a complaint must “state a claim to relief that is plausible on its face.””

“Public officials do not have a free-floating obligation to put things to rights . . . Bureaucracies divide tasks; no prisoner is entitled to insist that one employee do another’s job.”

“To allege an excessive force claim under the Fourteenth Amendment, the plaintiff must allege that “the force purposefully or knowingly used against him was objectively unreasonable.””

FACTUAL BACKGROUND

While detained pretrial at the Tippecanoe County Jail, Weatherspoon allegedly informed jail officials that he had a seizure disorder and should be assigned a bottom bunk. He alleges that Captain Miller, Assistant Jail Commander Carrie Morgan, and Chief Deputy Terry Ruley knew of the risk but failed to move him, after which he fell from a top bunk during a seizure and injured his back, head, wrist, and ankle. He also alleges that Officer Clark used a taser on him after the fall even though he was not resisting or posing a threat.

PROCEDURAL HISTORY

Weatherspoon filed an original 64-page complaint naming 35 defendants. The court struck it as overlength and confusing and granted leave to replead. After Weatherspoon filed an amended complaint and paid the filing fee, the court screened the amended complaint, allowed certain Fourteenth Amendment claims to proceed, dismissed all other claims, dismissed numerous defendants, and directed service on four defendants.

DISPOSITION

other

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- State v. Weatherspoon, No. 79C01-2508-F4-000032 (Tippecanoe Cir. Ct. closed May 6, 2026)
- Tobey v. Chibucos, 890 F.3d 634, 647 (7th Cir. 2018)
- Miranda v. Cty. of Lake, 900 F.3d 335, 352, 353-54 (7th Cir. 2018)
- Kemp v. Fulton Cnty., 27 F.4th 491, 495 (7th Cir. 2022)
- Thomas v. Dart, 39 F.4th 835, 841 (7th Cir. 2022)
- Mitchell v. Kallas, 895 F.3d 492, 498 (7th Cir. 2018)
- Burks v. Raemisch, 555 F.3d 592, 595-96 (7th Cir. 2009)
- John Doe v. Purdue University, Doe v. Purdue Univ., 928 F.3d 652, 664 (7th Cir. 2019)
- Smith v. Knox County Jail, 666 F.3d 1037, 1040 (7th Cir. 2012)
- Kingsley v. Hendrickson, 576 U.S. 389, 397 (2015)