

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Bradley M. Houston v. Officer Whitney

Houston v. Whitney · No. 5:25-cv-409-MTT-CHW · Decided February 20, 2026

SUMMARY

The United States District Court for the Middle District of Georgia grants Bradley M. Houston leave to proceed in forma pauperis and permits his Eighth Amendment medical-treatment claims against Officer Whitney to proceed. The court recommends denying Houston’s request for a temporary restraining order or preliminary injunction concerning alleged threats at a different prison. The order also addresses service, discovery, filing obligations, and disclosure and preservation of video or photographic evidence.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Charles H. Weigle
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	February 20, 2026
DOCKET	5:25-cv-409-MTT-CHW
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state prisoner filed an amended complaint under 42 U.S.C. § 1983, moved to proceed in forma pauperis, and sought preliminary injunctive relief. The magistrate judge granted in forma pauperis status, found the Eighth Amendment medical-treatment claim sufficient to proceed after preliminary screening, and recommended denial of the requested preliminary injunction or temporary restraining order.
STANDARD OF REVIEW	Under the Prison Litigation Reform Act, the court conducts preliminary screening of prisoner and IFP complaints and must dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Failure to state a claim is evaluated under the plausibility standard, accepting well-pleaded factual allegations as true and construing pro se pleadings

liberally. Preliminary injunctive relief requires a substantial likelihood of success, a threat of irreparable injury, a balance of harms favoring the movant, and consistency with the public interest; the requested injunction must also relate to the conduct alleged in the complaint.

PRECEDENTIAL VALUE

nonprecedential magistrate judge order and recommendation

TOPICS

section 1983

prisoners rights

injunctions

civil procedure

cruel and unusual punishment

PRACTICE AREAS

prisoner civil rights

constitutional torts

federal civil procedure

injunctive relief

in forma pauperis litigation

QUESTIONS PRESENTED

1. Whether Houston demonstrated entitlement to proceed in forma pauperis without paying an initial partial filing fee.
2. Whether the amended complaint plausibly stated an Eighth Amendment deliberate-indifference claim against Officer Whitney sufficient to proceed past preliminary screening.
3. Whether Houston was entitled to a temporary restraining order or preliminary injunction concerning alleged threats at a different prison by persons and conduct not connected to the medical-treatment claim against Whitney.

HOLDINGS

1. Houston demonstrated that he was unable to pay the initial partial filing fee, so the complaint could be filed without prepayment of that partial fee; he remains obligated to pay the full filing fee through statutory installments.
2. The amended complaint plausibly alleged an Eighth Amendment deliberate-indifference claim against Whitney, and the claim should proceed for further factual development.
3. Houston's request for a temporary restraining order or preliminary injunction should be denied because he did not establish the required likelihood of success and did not show a sufficient relationship between the requested relief and the conduct alleged in the complaint.

KEY QUOTATIONS

“A TRO or preliminary injunction is a drastic remedy used primarily to preserve the status quo rather than grant most or all of the substantive relief sought in the complaint.”

“At this early stage of the litigation, the Court cannot say Plaintiff’s Eighth Amendment claims against Defendant Whitney are necessarily frivolous.”

FACTUAL BACKGROUND

Houston, an inmate, alleged that he told prison medical staff and Officer Whitney that he could not breathe and that medical staff instructed Whitney to remove him from his cell or take him for treatment. Whitney allegedly refused, after which another officer took Houston to medical the next day. Houston was found to have inadequate oxygen, hospitalized for approximately five days, and treated with oxygen. Separately, Houston alleged that inmates and a warden at another prison threatened or arranged to harass and assault him.

PROCEDURAL HISTORY

Houston filed an amended prisoner civil-rights complaint against Officer Whitney arising from alleged denial of medical assistance. He submitted motions to proceed in forma pauperis and a letter seeking protection from alleged threats at a different prison involving a different official. The court granted IFP status, ordered service of the medical-treatment claim against Whitney, and recommended that the district judge deny the unrelated request for preliminary injunctive relief.

DISPOSITION

other

CASES CITED

- Carmichael v. United States, 966 F.3d 1250, 1258 (11th Cir. 2020)
- Miller v. Donald, 541 F.3d 1091, 1100 (11th Cir. 2008)
- Daker v. Ward, 999 F.3d 1300, 1308, 1310 (11th Cir. 2021)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-56, 570 (2007)
- Hale v. Tallapoosa County, 50 F.3d 1579, 1582 (11th Cir. 1995)
- Bingham v. Thomas, 654 F.3d 1171, 1176-77 (11th Cir. 2011)
- Wade v. McDade, 106 F.4th 1251, 1255, 1262 (11th Cir. 2024) (en banc)
- Pintando v. Miami-Dade Housing Agency, 501 F.3d 1241, 1243 (11th Cir. 2007)
- Farrow v. West, 320 F.3d 1235, 1243 (11th Cir. 2003)
- Mann v. Taser International, Inc., 588 F.3d 1291, 1306-07 (11th Cir. 2009)
- Farmer v. Brennan, 511 U.S. 825, 839 (1994)
- Goebert v. Lee County, 510 F.3d 1312, 1326-27 (11th Cir. 2007)
- Cate v. Oldham, 707 F.2d 1176, 1185 (11th Cir. 1983)
- Fernandez-Roque v. Smith, 671 F.2d 426, 429 (11th Cir. 1982)
- Ingram v. Ault, 50 F.3d 898, 900 (11th Cir. 1995)
- Colvin v. Caruso, 605 F.3d 282, 300 (6th Cir. 2010)
- Devose v. Herrington, 42 F.3d 470, 471 (8th Cir. 1994)
- Omega World Travel, Inc. v. Trans World Airlines, 111 F.3d 14, 16 (4th Cir. 1997)

- Parker v. State Board of Pardons & Paroles, 275 F.3d 1032, 1034-35 (11th Cir. 2002) (per curiam)
- Windsor v. United States, 379 F. App'x 912, 916-17 (11th Cir. 2010) (per curiam)

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