

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

**Freeman Cole v. Gloria L. Doyle and La Crosse County Court;
Freeman Cole v. Wisconsin State Public Defender, Araysa Marie
Simpson and Ransome Nathaniel Springer**

Cole · No. 25-cv-922-wmc; 25-cv-923-wmc · Decided April 7, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed two civil rights actions brought by pretrial detainee Freeman Cole under 42 U.S.C. § 1983. The court held that Judge Gloria L. Doyle was entitled to judicial immunity, the La Crosse County Court was not a separately suable entity and no municipal-liability claim was pleaded, and the public defenders were not acting under color of state law when performing traditional defense functions. Both complaints were dismissed without leave to amend, and the court directed that Cole receive two strikes under 28 U.S.C. § 1915(g).

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	William M. Conley
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	April 7, 2026
DOCKET	25-cv-922-wmc; 25-cv-923-wmc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening of two prisoner civil-rights complaints under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner complaint that is frivolous, malicious, fails to state a claim, or seeks damages from an immune defendant. A pro se complaint is construed under a less stringent standard but must contain sufficient factual allegations to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unpublished district court opinion; precedential status not stated in the opinion.

PARTIES

Freeman Cole v. Gloria L. Doyle, La Crosse County Court, Wisconsin
State Public Defender, Araysa Marie Simpson, Ransome Nathaniel
Springer

TOPICS

section 1983 civil procedure injunctions remedies

PRACTICE AREAS

civil rights constitutional law civil procedure criminal procedure remedies

QUESTIONS PRESENTED

1. Whether Cole stated a § 1983 claim against Judge Gloria Doyle based on judicial acts taken during his criminal proceedings.
2. Whether the La Crosse County Court could be sued as a separate legal entity under § 1983 and, if not, whether Cole alleged a municipal policy or custom sufficient to impose liability.
3. Whether Cole stated a § 1983 claim against public defenders for performing traditional functions as counsel to a criminal defendant.
4. Whether Cole stated a § 1983 claim against the Wisconsin State Public Defender absent allegations of personal involvement or unconstitutional conduct.
5. Whether the complaints should be dismissed without leave to amend and whether Cole should receive two strikes under 28 U.S.C. § 1915(g).

HOLDINGS

1. Judge Doyle is absolutely immune from damages for acts performed in her judicial capacity unless the acts were taken outside her judicial capacity or in the complete absence of jurisdiction. Presiding over hearings, ruling on defense counsel and self-representation, and denying bond assessments are judicial acts within the scope of her duties.
2. Cole was not entitled to injunctive relief concerning Judge Doyle's service as a judge because she was no longer presiding over his criminal proceedings and he did not show a real or immediate threat of irreparable injury from her actions.
3. The La Crosse County Court is not a legal entity separate from the county government it serves. Even treating the claim as one against La Crosse County, Cole failed to state a § 1983 claim because he alleged no unconstitutional county policy or custom.
4. Public defenders do not act under color of state law when performing traditional functions as counsel to a criminal defendant and therefore cannot be sued under § 1983 on that basis.
5. Cole failed to state a § 1983 claim against the Wisconsin State Public Defender because he alleged no personal involvement by that defendant and liability cannot rest solely on respondeat superior or vicarious liability.

KEY QUOTATIONS

“a public defender does not act under color of state law when performing the traditional functions of counsel to a criminal defendant”

“a judicial act “does not become less judicial by virtue of an allegation of malice or corruption of motive””

FACTUAL BACKGROUND

Cole was a pretrial detainee confined in the La Crosse County Jail while facing prosecution for attempted first-degree intentional homicide in La Crosse County Circuit Court Case No. 2023CF000937. In the first action, he challenged Judge Gloria Doyle's conduct during the criminal proceedings, including holding a hearing in his absence, refusing to permit self-representation, and denying a bond assessment. In the second action, he sued the Wisconsin State Public Defender and two former appointed attorneys over their representation during the same prosecution.

PROCEDURAL HISTORY

Freeman Cole, a pretrial detainee proceeding pro se, filed two actions under 42 U.S.C. § 1983 concerning events in his ongoing state criminal prosecution. The district court screened both complaints, denied leave to proceed, dismissed both actions without leave to amend for failure to state a claim, and assessed two strikes under 28 U.S.C. § 1915(g).

DISPOSITION

dismissed

CASES CITED

- Arnett v. Webster, 658 F.3d 742, 751 (7th Cir. 2011)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 557 (2007)
- Richman v. Sheahan, 270 F.3d 430 (7th Cir. 2001)
- Mireles v. Waco, 502 U.S. 9, 11-12 (1991)
- Forrester v. White, 484 U.S. 219, 227 (1988)
- City of Los Angeles v. Lyons, 461 U.S. 95, 103 (1983)
- Whiting v. Marathon County Sheriff's Department, 382 F.3d 700, 704 (7th Cir. 2004)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 690-91 (1978)
- Garrison v. Burke, 165 F.3d 565, 571 (7th Cir. 1999)
- Collins v. Kibort, 143 F.3d 331, 334 (7th Cir. 1998)
- Felton v. City of Chicago, 827 F.3d 632, 636 (7th Cir. 2016)
- Heck v. Humphrey, 512 U.S. 477 (1994)
- Polk County v. Dodson, 454 U.S. 312, 325 (1981)
- Ashcroft v. Iqbal, 556 U.S. 662, 676 (2009)
- Taylor v. Ways, 999 F.3d 478, 493 (7th Cir. 2021)

- Locke v. Haessig, 788 F.3d 662, 669 (7th Cir. 2015)
- Day v. Subsecretario del Sistema Penitenciario Federal, 838 F. App'x 192, 193 (7th Cir. 2021)

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