

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Joey Hoffman v. Jillian Cuffaro, et al.

Hoffman · No. 3:25-CV-02360 · Decided March 20, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania grants Joey Hoffman leave to amend but dismisses his amended § 1983 complaint under 28 U.S.C. § 1915(e)(2)(B)(ii). The court dismisses claims against certain supervisory and grievance-review defendants, as well as the Fifth, Eighth, and Fourteenth Amendment claims, and grants a final opportunity to amend claims dismissed without prejudice; the motion for default judgment is deemed withdrawn.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Jennifer P. Wilson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 20, 2026
DOCKET	3:25-CV-02360
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to amend his § 1983 complaint and moved for default judgment. The court screened the proposed amended complaint under 28 U.S.C. § 1915(e)(2)(B)(ii), dismissed the amended complaint, deemed the default-judgment motion withdrawn, and granted Plaintiff a final opportunity to amend claims dismissed without prejudice.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B)(ii), an in forma pauperis action must be dismissed at any time if it fails to state a claim. The court applied the Rule 12(b)(6) plausibility standard, accepting well-pleaded allegations as true and construing reasonable inferences in Plaintiff's favor, while liberally construing the pro se pleading.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court with no reported citation identified.
PARTIES	Joey Hoffman v. Jillian Cuffaro, William Weldon, Louis Rodriguez, Gregory Briggs

TOPICS

motion to amend

motions to dismiss

section 1983

civil rights

civil procedure

PRACTICE AREAS

civil rights

prisoners rights

federal civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff should be permitted to file the proposed amended complaint.
2. Whether the amended complaint stated a First Amendment access-to-courts claim based on the denial of paper, envelopes, and copies.
3. Whether the amended complaint stated supervisory-liability claims against the warden and unit manager.
4. Whether the amended complaint stated a § 1983 claim against the grievance coordinator based solely on denial or review of grievances.
5. Whether Plaintiff could pursue Fifth Amendment due process or equal-protection claims against county prison employees.
6. Whether a pretrial detainee could pursue the asserted Eighth Amendment claim and whether the allegations stated a Fourteenth Amendment conditions-of-confinement claim.
7. Whether Plaintiff's unsupported motion for default judgment should be deemed withdrawn under Local Rule 7.5.

HOLDINGS

1. The court granted Plaintiff's motion to amend, filed the proposed amended complaint as a separate docket entry, and screened it.
2. The amended complaint failed to state supervisory-liability claims against the warden and unit manager because it alleged only their supervisory status and did not plead the facts required to show a deficient supervisory practice, awareness of risk, deliberate indifference, and resulting constitutional injury.
3. The amended complaint failed to state a § 1983 claim against Defendant Rodriguez based solely on his alleged denial of Plaintiff's grievances.
4. The amended complaint failed to state a First Amendment access-to-courts claim because Plaintiff did not allege that he lost a nonfrivolous or arguable underlying claim and lacked another remedy for that loss.
5. Plaintiff's Fifth Amendment claim failed as a matter of law and was dismissed with prejudice because the Fifth Amendment's Due Process Clause restricts federal governmental action, not state or county action.
6. The Eighth Amendment claim was dismissed with prejudice because the Eighth Amendment does not apply until an inmate has been convicted and sentenced.

7. The amended complaint failed to state a Fourteenth Amendment claim because Plaintiff did not plausibly allege that the challenged conditions of confinement amounted to punishment, and the claim was dismissed with prejudice.
8. The motion for default judgment was deemed withdrawn because Plaintiff did not file the required supporting brief within the time required by Local Rule 7.5.

KEY QUOTATIONS

“In order “[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (Standard)

“Most significant is the nonfrivolous nature of the claim allegedly lost. The lost claim must be “more than hope” in order to be deemed nonfrivolous.” (Section C)

“In evaluating the constitutionality of conditions or restrictions of pretrial detention that implicate only the protection against deprivation of liberty without due process of law, we think that the proper inquiry is whether those conditions amount to punishment of the detainee.” (Section E)

FACTUAL BACKGROUND

Plaintiff was a pretrial detainee at Dauphin County Prison and alleged that prison staff denied his requests for paper, envelopes, and copies needed to pursue several civil cases. He attributed the denials primarily to Defendant Jillian Cuffaro and named the prison's director, unit manager, grievance coordinator, and warden as defendants. He alleged that he traded food from his tray for supplies and asserted claims under the First, Fifth, Eighth, and Fourteenth Amendments.

PROCEDURAL HISTORY

Hoffman filed his original complaint on December 9, 2025, alleging that Dauphin County Prison officials denied him paper, envelopes, and copies needed for his civil actions. After Hoffman proceeded in forma pauperis, the court screened and dismissed the original complaint for failure to state a claim, granting leave to amend. Hoffman then filed a proposed amended complaint and later an unsupported motion for default judgment. The court granted the amendment, screened and dismissed the amended complaint, dismissed some claims without prejudice and others with prejudice, deemed the default motion withdrawn under Local Rule 7.5, and allowed one final opportunity to amend the claims dismissed without prejudice.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Plaintiff was granted a final opportunity to file a pleading titled “Second Amended Complaint” under case number 3:25-CV-02360 to cure the defects in the claims dismissed without prejudice. Failure to file timely would result in dismissal with prejudice and closure of the case.

CASES CITED

- Grayson v. Mayview State Hospital, 293 F.3d 103, 109-10 & n.11 (3d Cir. 2002)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Doe v. University of the Sciences, 961 F.3d 203, 208 (3d Cir. 2020)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Higgs v. Attorney General, 655 F.3d 333, 339 (3d Cir. 2011)
- Phillips v. County of Allegheny, 515 F.3d 224, 245 (3d Cir. 2008)
- Carter v. City of Philadelphia, 181 F.3d 339, 356-57 (3d Cir. 1999)
- Brown v. Muhlenberg Township, 269 F.3d 205, 216 (3d Cir. 2001)
- Sample v. Diecks, 885 F.2d 1099, 1118 (3d Cir. 1989)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Baraka v. McGreevey, 481 F.3d 187, 210 (3d Cir. 2007)
- Rode v. Dellarciprete, 845 F.2d 1195, 1208 (3d Cir. 1988)
- Brooks v. Beard, 167 F. App'x 923, 925 (3d Cir. Feb. 14, 2006)
- Rivera v. Monko, 37 F.4th 909, 915 (3d Cir. 2022)
- Monroe v. Beard, 536 F.3d 198, 205 (3d Cir. 2008)
- Christopher v. Harbury, 536 U.S. 403, 416 (2002)
- Dusenbery v. United States, 534 U.S. 161, 167 (2002)
- Nguyen v. U.S. Catholic Conference, 719 F.2d 52, 54 (3d Cir. 1983)
- Nemeth v. Office of Clerk of Superior Court of New Jersey, 837 F. App'x 924, 929 n.5 (3d Cir. 2020)
- Graham v. Connor, 490 U.S. 386, 392 n.6 (1989)
- Hubbard v. Taylor, 399 F.3d 150, 164, 166 (3d Cir. 2005)
- Bell v. Wolfish, 441 U.S. 520, 535 n.16, 538 (1979)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA JOEY HOFFMAN,: Civil No. 3:25-CV-02360 Plaintiff,: v.: JILLIAN CUFFARO, et al.,: Defendants.: Judge Jennifer P. Wilson MEMORANDUM Presently before the court is Plaintiff Joey Hoffman's motion to amend, proposed amended complaint alleging that the staff at Dauphin County Prison are denying him supplies necessary to pursue his legal actions, and motion for default judgment.

(Docs. 8, 8-1, 10.) Plaintiff is a pro se litigant and is currently housed at the Dauphin County Prison as a pretrial detainee for a parole violation. (Id.) The court will grant Plaintiff's motion to amend, screen the proposed amended complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), dismiss the complaint, deem Plaintiff's motion for default judgment withdrawn, and grant Plaintiff a final opportunity to amend his pleading.

BACKGROUND On December 9, 2025, the court received and docketed Plaintiff's complaint. (Doc. 1.) The complaint names the following four defendants: (1) Jillian Cuffaro ("Cuffaro"), Director at Dauphin County Prison; (2) William Weldon ("Weldon"), Unit Manager at Dauphin County Prison; (3) Louis Rodriguez ("Rodriguez"), Grievance Coordinator at Dauphin County Prison; and (4) Gregory Briggs ("Briggs"), Warden at Dauphin County Prison.

(Doc. 1, pp. 2–3.) 1 Plaintiff's alleged facts are contained in the following paragraph: I am indigent 14 months now and trying to get some free paper, envelopes other than indigent pack. I ask for pro se status because I'm pro se in 4 civil cases in which I need the supplies for and am refused all and copies. Director Jill is denying all. (Id., p. 5.) With respect to his injury, Plaintiff further alleged that he is trading food off his tray for supplies.

(Id.) Plaintiff brings the action under 42 U.S.C. § 1983 and alleges that defendants are violating the First, Fifth, Eighth, and Fourteenth Amendments. (Id., p. 3.) On December 9, 2025, the court entered an administrative order instructing Plaintiff to pay the outstanding filing fee in full or file a motion to proceed in forma pauperis within thirty days or the case would be dismissed.

(Doc. 3.) On December 29, 2025, the court received and docketed Plaintiff's motion to proceed in forma pauperis and a certified prisoner trust account statement. (Docs. 4, 5.) On January 5, 2026, the court entered a memorandum and order screening the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and dismissed the complaint for failure to state a claim for which relief may be granted.

(Docs. 6, 7.) 1 For ease of reference, the court uses the page numbers from the CM/ECF header. The court granted Plaintiff leave to file an amended complaint to cure the pleading defects in the original complaint. (Id.)

On January 12, 2026, the court received and docketed Plaintiff's motion to amend the complaint and a proposed amended complaint. (Docs. 8, 8-1.) On January 27, 2026, the court received and docketed a supplement to the motion to amend, which reads as a brief in support of the motion. (Doc. 9.)

The amended complaint names the same four defendants and alleges that Plaintiff wrote multiple request slips for extra paper, envelopes, and copies in furtherance of multiple civil actions and Defendant Cuffaro denied these requests. (Doc. 8-1.) Plaintiff then discusses several of these request slips and denials filed while at Dauphin County Prison. (Id., pp. 7–15.)

Based on the brief in support of the motion to amend, Plaintiff is attempting to raise a First Amendment access to court claim, a Fifth Amendment due process and equal protection claim, an Eighth Amendment cruel and unusual punishment claim, and a Fourteenth Amendment condition of confinement claim resulting in punishment. (Doc. 9.)

On March 5, 2026, the court received and docketed an unsupported motion for default judgment. (Doc. 10.) The court had already granted Plaintiff leave to file an amended complaint in the order dismissing the original complaint. (Doc. 7.)

Therefore, the motion to amend is superfluous. Nonetheless, the court will grant the motion, file the proposed amended complaint as a separate document, and screen the amended complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The court will also deem Plaintiff's motion for default judgment withdrawn. JURISDICTION AND VENUE The court has jurisdiction over Plaintiff's 42 U.S.C. § 1983 action pursuant to 28 U.S.C. § 1331, which allows a district court to exercise subject matter jurisdiction in civil cases arising under the Constitution, laws, or treaties of the United States. Venue is proper in this district because the alleged acts and omissions giving rise to the claims occurred in Dauphin County, which is located in this district.

See 28 U.S.C. § 118(b). STANDARD Under 28 U.S.C. § 1915(e)(2)(B)(ii), a court "shall dismiss" an in forma pauperis case "at any time if the court determines that... the action... fails to state a claim upon which relief may be granted[.]" The legal standard for dismissing a complaint for failure to state a claim pursuant to 28 U.S.C. § 1915 is identical to the legal standard used when ruling on Fed.

R. Civ. P. 12(b)(6) motions to dismiss. See *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 109-10 & n.11 (3d Cir. 2002). In order "[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

A claim is plausible on its face "when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* (quoting *Twombly*, 550 U.S. at 556).

Under Rule 12(b)(6), the court must accept all well pleaded allegations as true and construe all reasonable inferences in favor of the nonmoving party. *Doe v. Univ. of the Scis.*, 961 F.3d 203, 208 (3d Cir. 2020). The pleadings of self- represented plaintiffs are held to a less stringent standard than formal pleadings drafted by attorneys and are to be liberally construed.

See *Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *Higgs v. Att'y Gen.*, 655 F.3d 333, 339 (3d Cir. 2011). Self- represented litigants are to be granted leave to file a curative amended complaint even when a plaintiff does not seek leave to amend, unless such an amendment would be inequitable or futile. See *Phillips v. Cnty. of Allegheny*, 515 F.3d 224, 245 (3d Cir.

2008). DISCUSSION A. Claims Against Defendants Briggs and Weldon Will Be Dismissed. Plaintiff bases the alleged liability against Defendants Briggs and Weldon on their status as supervisors. Plaintiff alleges that Defendant Briggs “is in charge of everyone who commit[t]ed the violations against me.” (Doc. 8-1, p. 2.) He also alleges that Defendant Weldon “is the one above the Lib[e]rian whom rejected by pleas.” (Id.)

Supervisory liability under § 1983 utilizes the same standard as municipal liability. See *Carter v. City of Philadelphia*, 181 F.3d 339, 356 (3d Cir. 1999). A supervisor will only be liable for the acts of a subordinate if he fosters a policy or custom that amounts to deliberate indifference towards an individual’s constitutional rights. See *Id.* at 357.

To establish supervisory liability, a plaintiff must show that (1) a superior officer failed to employ a specific supervisory practice; (2) the existing custom created an unreasonable risk of injury in the absence of the specified supervisory practice; (3) the supervisor was aware that the risk existed; (4) the supervisor was indifferent to the risk; and (5) the underlying violation resulted from the failure to employ the supervisory practice.

Brown v. Muhlenberg Twp., 269 F.3d 205, 216 (3d Cir. 2005) (citing *Sample v. Diecks*, 885 F.2d 1099, 1118 (3d Cir. 1989)). Plaintiff’s amended complaint does not allege the facts necessary to establish supervisory liability against either Defendant Briggs or Weldon.

Therefore, all claims against Defendants Briggs and Weldon will be dismissed without prejudice. B. Claims Against Defendant Rodriguez Will Be Dismissed. Plaintiff premises the liability against Defendant Rodriguez on his role in denying Plaintiff’s grievances: “He is the one whom denied All my grievances and refused to hear my pleas.” (Doc. 8-1, p. 2.)

To state a claim under 42 U.S.C. § 1983, a plaintiff must meet two threshold requirements. He must allege: 1) that the alleged misconduct was committed by a person acting under color of state law; and 2) that as a result, he was deprived of rights, privileges, or immunities secured by the Constitution or laws of the United States. *West v. Atkins*, 487 U.S. 42, 48 (1988).

It is also well established that “[a] defendant in a civil rights action must have personal involvement in the alleged wrongs to be liable, and cannot be held responsible for a constitutional violation which he or she neither participated in nor approved.” See *Baraka v. McGreevey*, 481 F.3d 187, 210 (3d Cir. 2007). Plaintiff’s complaint is insufficient to support a § 1983 claim. “Participation in the after-the-fact review of a grievance or appeal is not enough to establish personal involvement.” *Rode v. Dellarciprete*, 845 F.2d 1195, 1208 (3d Cir.

1988) (finding the filing of a grievance is not enough to show the actual knowledge necessary for personal involvement); see also *Brooks v. Beard*, No. 05-3196, 2006 WL 332547, 167 F. App’x 923, 925 (3d Cir. Feb. 14, 2006) (holding that a state prisoner’s allegation that prison officials and administrators responded inappropriately, or failed to respond to a prison grievance, did not

establish that the officials and administrators were involved in the underlying allegedly unconstitutional conduct).

C. The First Amendment Access to Courts Claim Will Be Dismissed. The crux of Plaintiff's amended complaint is that the staff at Dauphin County Prison violated Plaintiff's First Amendment right of access to the courts. (Doc. 8-1.) Asserting an actionable claim for denial of access to the courts requires a prisoner to allege that (1) he "lost a chance to pursue a 'nonfrivolous' or 'arguable' underlying claim" and (2) he has no available remedy for the lost claim other than the present denial of access action.

Rivera v. Monko, 37 F.4th 909, 915 (3rd Cir. 2022) (citing Monroe v. Beard, 536 F.3d 198, 205 (3rd Cir. 2008)). Most significant is the nonfrivolous nature of the claim allegedly lost. The lost claim must be "more than hope" in order to be deemed nonfrivolous. Christopher v. Harbury, 536 U.S. 403, 416 (2002). At no point in the amended complaint does Plaintiff allege that he lost the chance to pursue any of his civil cases or that his civil cases have any merit.

(Doc. 8-1, pp. 3–4.) Therefore, Plaintiff's First Amendment access to courts claim will be dismissed without prejudice. D. The Fifth Amendment Claim Will Be Dismissed With Prejudice. As it had done in the previous screening order, the court finds that Plaintiff's Fifth Amendment claim fails as matter of law because the Due Process Clause of the Fifth Amendment is inapplicable to state or county officials such as Defendants.

The Fifth Amendment provides, in pertinent part, that "[n]o person shall be... deprived of life, liberty, or property, without due process of law[.]" See U.S. Const. amend. V. The provisions of the Fifth Amendment only concern, however, federal action, not state or private action. See, e.g., Dusenbery v. United States, 534 U.S. 161, 167 (2002) (stating that "[t]he Due Process Clause of the Fifth Amendment prohibits the United States, as the Due Process Clause of the Fourteenth Amendment prohibits the States, from depriving any person of property without 'due process of law' "); Nguyen v. U.S. Cath.

Conf., 719 F.2d 52, 54 (3d Cir. 1983) (stating that "[t]he limitations of the [F]ifth [A]mendment restrict only federal governmental action and not the actions of private entities" (citing Public Utilities Commission v. Pollak, 343 U.S. 451, 461 (1952))); Nemeth v. Off. of Clerk of Superior Ct. of New Jersey, 837 F. App'x 924, 929 n.5 (3d Cir. 2020) (unpublished) (noting that the district court had properly concluded that, because all of the named defendants were state and private officials and entities, the plaintiff could not pursue a Fifth Amendment claim against any of them because the Fifth Amendment's due process clause only "protects against federal governmental actions, not state actions").

Here, Defendants are employees of the Dauphin County Prison and are not federal employees. Thus, the court finds that this Fifth Amendment claim fails as a matter of law pursuant to 28

U.S.C. § 1915(e)(2). As such, the court will dismiss the Fifth Amendment claim with prejudice. E. The Eighth Amendment and Fourteenth Amendment Claims Will Be Dismissed With Prejudice.

Plaintiff has also raised an Eighth Amendment and Fourteenth Amendment claim. (Docs. 8-1, 9.) The Eighth Amendment prohibits cruel and unusual punishment. U.S. Const. Amend. VIII. The Eighth Amendment does not apply until an inmate has been both convicted of and sentenced for his crimes. See *Graham v. Connor*, 490 U.S. 386, 392 n. 6 (1989); *Hubbard v. Taylor*, 399 F.3d 150, 164 (3d Cir.

2005). Thus, an inmate awaiting sentencing must look to either the Fifth Amendment's or the Fourteenth Amendment's Due Process Clause for protection. See *Bell v. Wolfish*, 441 U.S. 520, 535 n. 16 (1979). Therefore, the Eighth Amendment claim will be dismissed with prejudice. Instead, the Due Process Clause of the Fourteenth Amendment governs claims brought by pretrial detainees challenging their conditions of confinement.

See *Hubbard*, 399 F.3d at 166. To establish a constitutional violation under the Fourteenth Amendment, a pretrial detainee plaintiff would have to plausibly allege that the challenged conditions of confinement amount to punishment. See *Bell*, 441 U.S. at 538 ("In evaluating the constitutionality of conditions or restrictions of pretrial detention that implicate only the protection against deprivation of liberty without due process of law, we think that the proper inquiry is whether those conditions amount to punishment of the detainee.").

Here, Plaintiff has made no such allegations concerning punishment. Therefore, all Fourteenth Amendment claims will be dismissed. Plaintiff's Eighth and Fourteenth Amendment claims in the original complaint were dismissed for the exact same reasons. (Doc. 6.) Plaintiff did not cure the pleading defect in his amended complaint.

Therefore, the Eighth and Fourteenth Amendment claims will be dismissed with prejudice. F. Plaintiff's Motion for Default Will Be Deemed Withdrawn. Also currently pending is Plaintiff's motion for default. (Doc. 10.) Plaintiff has not filed a brief in support of his motion. Local Rule 7.5 states, in pertinent part, that "[w]ithin fourteen (14) days after the filing of any motion, the party filing the motion shall file a brief in support of the motion...

If a supporting brief is not filed within the time provided in this rule the motion shall be deemed to be withdrawn." Plaintiff's motion was filed on March 5, 2026. (Doc. 10.) No supporting brief has been received. Therefore, the court will deem the motion withdrawn. CONCLUSION For the reasons set forth above, the court will grant Plaintiff's motion to file an amended complaint and file the proposed amended complaint as a separate document on the docket.

The court will dismiss the amended complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The court will grant Plaintiff a final opportunity to amend his pleading to cure the defects of the claims that have been dismissed without prejudice. Any amended pleading will be titled "Second Amended

Complaint” and will be filed under the above-captioned case number. Failure to timely file an amended pleading will result in the complaint being dismissed with prejudice and the case being closed.

Additionally, the court will deem Plaintiff’s motion for default withdrawn. An appropriate order follows. s/Jennifer P. Wilson JENNIFER P. WILSON United States District Judge Middle District of Pennsylvania Dated: March 20, 2026