

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

**Brian Keith Sherrell v. Maui Community Correctional Center,
Department of Public Safety, and Jillian Bermejo-Barrera**

Sherrell · No. Civ. No. 24-00183 LEK-KJM · Decided January 23, 2026

SUMMARY

The United States District Court for the District of Hawaii grants Defendant Jillian Bermejo-Barrera’s motion for summary judgment in Brian Keith Sherrell’s 42 U.S.C. § 1983 action alleging deliberate indifference to serious medical needs in violation of the Eighth Amendment. The court concludes that Sherrell failed to present evidence showing Bermejo-Barrera’s subjective awareness of and deliberate disregard for a serious medical risk, or that her conduct caused his alleged injuries. The court therefore enters judgment for Bermejo-Barrera and does not reach qualified immunity.

CASE DETAILS

COURT	United States District Court for the District of Hawaii
WRITING FOR THE COURT	Leslie E. Kobayashi
JURISDICTION	United States District Court for the District of Hawaii
DECIDED	January 23, 2026
DOCKET	Civ. No. 24-00183 LEK-KJM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's remaining 42 U.S.C. § 1983 claim against defendant Jillian Bermejo-Barrera, alleging deliberate indifference to serious medical needs in violation of the Eighth Amendment, was before the district court on Bermejo-Barrera's motion for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The record is viewed in the light most favorable to the nonmoving party, and admissible factual statements in a pro se prisoner's verified pleadings may be considered.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Brian Keith Sherrell v. Jillian Bermejo-Barrera

TOPICS

summary judgment

prisoners rights

section 1983

qualified immunity

cruel and unusual punishment

PRACTICE AREAS

civil rights

prisoner civil rights

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether Bermejo-Barrera violated the Eighth Amendment by acting with deliberate indifference to Sherrell's serious medical needs.
2. Whether a genuine dispute of material fact precluded summary judgment on the § 1983 deliberate-indifference claim.
3. Whether Bermejo-Barrera was entitled to qualified immunity.

HOLDINGS

1. Sherrell presented sufficient evidence for a reasonable trier of fact to conclude that his knee injury constituted a serious medical need.
2. Sherrell failed to raise a genuine dispute that Bermejo-Barrera knew of and deliberately disregarded an excessive risk to his health or safety.
3. Sherrell failed to raise a genuine dispute that Bermejo-Barrera's alleged conduct was the actual and proximate cause of his knee replacement or extreme pain.
4. The court did not need to reach qualified immunity because it determined that Bermejo-Barrera committed no constitutional violation.

KEY QUOTATIONS

"The Court finds that a reasonable juror could conclude that Sherrell's injury presented an objective, serious medical need." (Discussion § I)

"A reasonable juror crediting Sherrell's factual statements in the Amended Complaint could not conclude that Bermejo-Barrera knew of and deliberately disregarded a serious risk of harm to Sherrell." (Discussion § I.B)

"There being no remaining claims in this case, the Court DIRECTS the Clerk's Office to enter final judgment on February 23, 2026." (Conclusion)

FACTUAL BACKGROUND

Sherrell, an inmate at Maui Community Correctional Center, alleged that he fell from a top bunk in August 2022 and that defendant nurse Jillian Bermejo-Barrera failed to provide adequate treatment, including a bottom-bunk accommodation, pain medication, and other knee care. Bermejo-Barrera treated Sherrell on August 25, 2022, documented facial injuries, and stated that Sherrell did not report a knee injury or knee pain during that encounter. Medical records showed longstanding knee injuries and arthritis, and Sherrell eventually underwent a total knee replacement in January 2024. The court found that Sherrell presented evidence sufficient for a reasonable juror to find a serious medical need, but not sufficient evidence that Bermejo-Barrera knew of and deliberately disregarded that need or caused the later knee replacement and pain.

PROCEDURAL HISTORY

Sherrell filed a First Amended Prisoner Civil Rights Complaint concerning alleged inadequate medical treatment following bunk-bed falls at Maui Community Correctional Center. On July 24, 2024, the court dismissed the claims against the other defendants with prejudice and allowed the individual-capacity claim against Bermejo-Barrera to proceed. After discovery-related submissions and briefing, Bermejo-Barrera moved for summary judgment. The court granted the motion, found no remaining claims, and directed entry of final judgment.

DISPOSITION

other

CASES CITED

- Thomas v. Ponder, 611 F.3d 1144, 1150 (9th Cir. 2010)
- Blaisdell v. Frappiea, 729 F.3d 1237, 1241 (9th Cir. 2013)
- Marrero v. Ives, 682 F.3d 1190, 1192 (9th Cir. 2012)
- Soto v. Sweetman, 882 F.3d 865, 872 (9th Cir. 2018)
- Jones v. Blanas, 393 F.3d 918, 923 (9th Cir. 2004)
- Cornel v. Hawaii, 37 F.4th 527, 531 (9th Cir. 2022)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Park v. City & County of Honolulu, 952 F.3d 1136, 1140 (9th Cir. 2020)
- District of Columbia v. Wesby, 583 U.S. 48, 62-63 (2018)
- Estelle v. Gamble, 429 U.S. 97, 105 (1976)
- Edmo v. Corizon, Inc., 935 F.3d 757, 785-86 (9th Cir. 2019) (per curiam)
- Toguchi v. Chung, 391 F.3d 1051, 1060 (9th Cir. 2004)
- Gordon v. County of Orange, 888 F.3d 1118, 1122-23 & n.1 (9th Cir. 2018)
- Castro v. County of Los Angeles, 833 F.3d 1060, 1068 (9th Cir. 2016) (en banc)
- Lemire v. California, 726 F.3d 1062, 1074 (9th Cir. 2013)
- Harris v. County of Orange, 17 F.4th 849, 855 (9th Cir. 2021)
- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Brummett v. Teske, 344 F. App'x 373, 374 (9th Cir. 2009)
- Chima v. Obedoza, 72 F. App'x 577, 578 (9th Cir. 2003)
- United States v. Various Slot Machines on Guam, 658 F.2d 697, 701 (9th Cir. 1981)
- Taylor v. Barkes, 575 U.S. 822, 825 (2015) (per curiam)