

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Reginald Hart v. Christine Kulinski, et al.

Hart v. Kulinski · No. 25-CV-2016 · Decided January 22, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants Reginald Hart leave to proceed in forma pauperis in his 42 U.S.C. § 1983 action concerning delayed probation-revocation proceedings and extradition. The court denies his request for injunctive relief under the Younger abstention doctrine, stays the action pending resolution of his state revocation proceedings, and administratively closes the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Byron B. Conway
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	January 22, 2026
DOCKET	25-CV-2016
DISPOSITION	stayed
PROCEDURAL POSTURE	A self-represented prisoner brought a 42 U.S.C. § 1983 action alleging due-process violations arising from delays in pursuing alleged Wisconsin supervision violations, issuance of a delayed probation warrant, and failure to extradite him from Georgia. The court screened the complaint, granted leave to proceed in forma pauperis, denied motions for a temporary restraining order and preliminary injunction, and stayed and administratively closed the action under Younger abstention.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A and the plausibility and notice-pleading standards of Federal Rule of Civil Procedure 8(a)(2); Younger abstention analysis for federal constitutional claims that may interfere with ongoing state proceedings.
PRECEDENTIAL VALUE	unpublished
PARTIES	Reginald Hart v. Christine Kulinski, et al.

TOPICS

section 1983 prisoners rights injunctions due process federal habeas corpus

PRACTICE AREAS

Civil rights Prisoner litigation Federal civil procedure Constitutional law

QUESTIONS PRESENTED

1. Whether Hart should be permitted to proceed without prepaying the filing fee.
2. Whether the complaint stated a cognizable § 1983 due-process claim based on delayed action, delayed issuance of a warrant, and failure to extradite.
3. Whether the federal court could grant temporary or preliminary injunctive relief interfering with ongoing Wisconsin revocation proceedings.
4. Whether the federal civil-rights action should be stayed rather than dismissed while the state revocation proceedings and related post-conviction and appellate proceedings remained pending.

HOLDINGS

1. Hart was granted leave to proceed without prepayment of the filing fee because he submitted the required prison trust-account documentation and had paid the initial partial filing fee.
2. The court was required to abstain under *Younger v. Harris* from deciding Hart's federal constitutional claims to the extent they could interfere with his ongoing state revocation proceedings, and it lacked authority to grant the requested temporary restraining order or preliminary injunction.
3. The federal civil-rights action was stayed and administratively closed pending resolution of Hart's state revocation proceedings, including post-conviction motions and other appellate relief, rather than dismissed.

KEY QUOTATIONS

"The Court concludes that it must abstain from hearing these issues under Younger v. Harris, 401 U.S. 37 (1971)."

"This Court does not have the authority to interfere with a state court proceeding, so Plaintiff's motion for a temporary restraining order and a preliminary injunction is denied."

FACTUAL BACKGROUND

Hart was released from Wisconsin custody onto extended supervision in 2019 and later transferred supervision to Georgia. After his 2023 arrest on Georgia charges, Wisconsin lodged a probation hold based on alleged supervision violations, but Wisconsin officials did not extradite or retrieve him after he became available. Georgia released Hart back to supervision, and Wisconsin later issued a warrant based on the same alleged violations on May 20, 2025; Hart was apprehended on October 7, 2025 and was facing revocation proceedings when he filed this action.

PROCEDURAL HISTORY

Hart filed a prisoner civil-rights complaint and moved to proceed without prepayment of the filing fee. While Hart was facing Wisconsin revocation proceedings, he sought temporary and preliminary injunctive relief against further action in those proceedings. The district court granted in forma pauperis status, denied injunctive relief, stayed the federal action pending resolution of the state revocation proceedings, and directed the clerk to administratively close the case.

DISPOSITION

stayed

REMAND INSTRUCTIONS

No remand. The clerk was directed to administratively close the case. Hart may move to reopen and lift the stay after conclusion of the state revocation proceedings, including post-conviction motions and other appellate relief.

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 556, 570 (2007)
- D.S. v. E. Porter County School Corp., 799 F.3d 793, 798 (7th Cir. 2015)
- Buchanan-Moore v. County of Milwaukee, 570 F.3d 824, 827 (7th Cir. 2009)
- Younger v. Harris, 401 U.S. 37, 45 (1971)
- SKS & Assocs., Inc. v. Dart, 619 F.3d 674, 677 (7th Cir. 2010)
- Shaw v. County of Milwaukee, No. 24-1410, 2022 WL 1001434, at *2 (7th Cir. Apr. 4, 2022)
- Simpson v. Rowan, 73 F.3d 134, 138 (7th Cir. 1995)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN REGINALD HART, Plaintiff, v. Case No. 25-CV-2016 CHRISTINE KULINSKI, et al., Defendants. SCREENING ORDER Plaintiff Reginald Hart, who is currently housed at Milwaukee Secure Detention Facility and representing himself, filed a complaint under 42 U.S.C. §1983, alleging that his civil rights were violated.

This matter comes before the Court on Plaintiff's motion for leave to proceed without prepayment of the filing fee and to screen the complaint. MOTION FOR LEAVE TO PROCEED WITHOUT PREPAYMENT OF THE FILING FEE Plaintiff has requested leave to proceed without prepaying the full filing fee (in forma pauperis). A prisoner plaintiff proceeding in forma pauperis is required to pay the full amount of the \$350.00 filing fee over time.

See 28 U.S.C. §1915(b)(1). Plaintiff has filed a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of his complaint, as required under 28 U.S.C. §1915(a)(2), and has been assessed and paid an initial partial filing fee of \$22.46. Plaintiff's motion for leave to proceed without prepayment of the filing fee will be granted.

SCREENING OF THE COMPLAINT The Court has a duty to review any complaint in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity and must dismiss any complaint or portion thereof if the prisoner has raised any claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief.

28 U.S.C. §1915A(b). In screening a complaint, the Court must determine whether the complaint complies with the Federal Rules of Civil Procedure and states at least plausible claims for which relief may be granted. To state a cognizable claim under the federal notice pleading system, a plaintiff is required to provide a "short and plain statement of the claim showing that [he] is entitled to relief." Fed.

R. Civ. P. 8(a)(2). It must be at least sufficient to provide notice to each defendant of what he or she is accused of doing, as well as when and where the alleged actions or inactions occurred, and the nature and extent of any damage or injury the actions or inactions caused. "The pleading standard Rule 8 announces does not require 'detailed factual allegations,' but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl.*

Corp. v. Twombly, 550 U.S. 544, 555 (2007)). "The tenet that a court must accept as true all of the allegations contained in a complaint is inapplicable to legal conclusions. Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Id.* A complaint must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face." *Twombly*, 550 U.S. at 570. "A claim has facial plausibility 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.* at 556. "[T]he complaint's allegations must be enough to raise a right to relief above the speculative level." *Id.* at 555 (internal quotations omitted).

ALLEGATIONS OF THE COMPLAINT According to the complaint, Plaintiff was released from Wisconsin custody onto extended supervision in 2019. Soon thereafter, Plaintiff received approval to transfer his supervision to Georgia. Compl. at 2, Dkt. No. 1.

On June 20, 2023, Plaintiff was arrested in Douglas County, Georgia on new criminal charges and was held in the Douglas County Jail. *Id.* at 4. In September 2023, Plaintiff posted bail on the Georgia charges. He was not released, however, because a Wisconsin probation hold had been lodged against him based on alleged supervision violations arising from the new charges.

Plaintiff signed an extradition waiver, making himself available to be extradited to Wisconsin or taken into custody. Plaintiff's defense attorney and his wife contacted Plaintiff's Wisconsin supervising probation officer, Christine Kulinski, and informed her that Plaintiff had "cleared his Georgia charges for release and was ready for Wisconsin pickup." *Id.* Kulinski repeatedly stated that "Wisconsin does not want him" and that Wisconsin would not be extraditing or retrieving Plaintiff.

Id. In October 2023, Georgia authorities released Plaintiff back to extended supervision in Georgia. After Plaintiff's release, Wisconsin officials took no further action to pursue his alleged violations. *Id.* at 6. On May 20, 2025, a Wisconsin probation warrant was issued based on the same alleged supervision violations. *Id.* Plaintiff was apprehended on October 7, 2025.

Id. at 7. Plaintiff is currently facing revocation proceedings. *Id.* at 8. ANALYSIS "To state a claim for relief under 42 U.S.C. §1983, a plaintiff must allege that he or she was deprived of a right secured by the Constitution or the laws of the United States, and that this deprivation occurred at the hands of a person or persons acting under the color of state law." *D.S. v. E. Porter Cty.*

Sch. Corp., 799 F.3d 793, 798 (7th Cir. 2015) (citing *Buchanan–Moore v. Cty. of Milwaukee*, 570 F.3d 824, 827 (7th Cir. 2009)). Plaintiff asserts that Defendants violated his right to due process by failing to timely act on the alleged supervision violations, issuing an excessively delayed warrant, and withholding extradition. He claims that the extreme delays in his apprehension violated his liberty interests.

Plaintiff seeks monetary damages, a declaratory judgment that Defendants' actions violated his constitutional rights, and injunctive relief preventing revocation based on the unlawfully delayed violations. *Id.* at 5.

The Court concludes that it must abstain from hearing these issues under *Younger v. Harris*, 401 U.S. 37 (1971). Under the *Younger* abstention doctrine, federal courts must abstain from taking jurisdiction over federal constitutional claims that may interfere with on-going state proceedings. *Id.* at 45; *SKS & Assocs., Inc. v. Dart*, 619 F.3d 674, 677 (7th Cir. 2010).

Given the issues Plaintiff has presented, deciding federal constitutional claims in this Court could (and likely would) undermine the state court proceedings. Indeed, Plaintiff asks that the Court enter a temporary restraining order and preliminary injunction preventing Defendants from taking action in his revocation proceedings. This Court does not have the authority to interfere with a state court proceeding, so Plaintiff's motion for a temporary restraining order and a preliminary injunction is denied.

For these reasons, the Court must stay this federal civil rights action pending resolution of Plaintiff's revocation proceedings. See *Shaw v. Cty. of Milwaukee*, No. 24-1410, 2022 WL 1001434, at *2 (7th Cir. Apr. 4, 2022) (noting that because civil rights claims for monetary

damages may become time-barred by the time a state prosecution has concluded, the district court must stay and administratively close a case, rather than dismiss it).

The Court will direct the clerk's office to administratively close this case. It is Plaintiff's responsibility to file a motion to reopen the case and lift the stay after his state court proceedings have concluded, including the resolution of post-conviction motions and other appellate relief. *Simpson v. Rowan*, 73 F.3d 134, 138 (7th Cir. 1995). IT IS THEREFORE ORDERED that Plaintiff's motion for leave to proceed without prepayment of the filing fee (Dkt.

No. 2) is GRANTED. IT IS FURTHER ORDERED that Plaintiff's motion for a temporary restraining order and a preliminary injunction (Dkt. No. 4) is DENIED. IT IS FURTHER ORDERED that this case is STAYED pending resolution of Plaintiff's state court revocation proceedings.

The clerk's office is directed to ADMINISTRATIVELY CLOSE this case. It is Plaintiff's responsibility to file a motion to reopen the case and lift the stay after his state court proceedings have concluded, including the resolution of post-conviction motions and other appellate relief. IT IS FURTHER ORDERED that the agency having custody of Plaintiff shall collect from his institution trust account the \$327.54 balance of the filing fee by collecting monthly payments from Plaintiff's prison trust account in an amount equal to 20% of the preceding month's income credited to the prisoner's trust account and forwarding payments to the Clerk of Court each time the amount in the account exceeds \$10 in accordance with 28 U.S.C. §1915(b)(2).

The payments shall be clearly identified by the case name and number assigned to this action. If Plaintiff is transferred to another institution, the transferring institution shall forward a copy of this Order along with Plaintiff's remaining balance to the receiving institution. IT IS FURTHER ORDERED that a copy of this order be sent to the officer in charge of the agency where Plaintiff is confined.

IT IS FURTHER ORDERED that plaintiffs who are inmates at Prisoner E-Filing Program institutions must submit all correspondence and case filings to institution staff, who will scan and e-mail documents to the Court. The Prisoner E-Filing Program is mandatory for all inmates of Green Bay Correctional Institution, Waupun Correctional Institution, Dodge Correctional Institution, Wisconsin Secure Program Facility, Columbia Correctional Institution, and Oshkosh Correctional Institution.

Plaintiffs who are inmates at all other prison facilities must submit the original document for each filing to the Court to the following address: Honorable Byron B. Conway c/o Office of the Clerk United States District Court Eastern District of Wisconsin 125 S. Jefferson Street, Suite 102 Green Bay, WI 54301 PLEASE DO NOT MAIL ANYTHING DIRECTLY TO THE COURT'S CHAMBERS.

It will only delay the processing of the matter. Plaintiff is further advised that failure to make a timely submission may result in the dismissal of this action for failure to prosecute. In addition, the parties must notify the Clerk of Court of any change of address. Failure to do so could result in orders or other information not being timely delivered, thus affecting the legal rights of the parties.

Dated at Green Bay, Wisconsin on January 22, 2026. s/ Byron B. Conway BYRON B. CONWAY
United States District Judge