

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS

Ronald Weeden v. Timothy Bowden, et al.

Weeden · No. 26-1059 · Decided April 9, 2026

SUMMARY

This merit review order addresses a pro se prisoner’s 42 U.S.C. § 1983 claims arising from alleged excessive force, denial of post-use-of-force sanitation, and retaliatory transfer. The court allowed an Eighth Amendment excessive force claim against Timothy Bowden and an Eighth Amendment conditions-of-confinement claim against Pratt and McDowell, dismissed claims against Nurse and Dr. Paul without prejudice, and denied the motion for appointed counsel with leave to renew.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois
WRITING FOR THE COURT	Michael M. Mihm
JURISDICTION	United States District Court for the Central District of Illinois
DECIDED	April 9, 2026
DOCKET	26-1059
DISPOSITION	other
PROCEDURAL POSTURE	Merit-review screening of a pro se incarcerated plaintiff's complaint under 28 U.S.C. § 1915A, with a motion for appointment of counsel.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court accepts factual allegations as true and liberally construes them in the plaintiff's favor, while dismissing claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The court applied the Rule 12(b)(6) plausibility standard and the Pruitt two-part standard for requests for appointed counsel.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Ronald Weeden v. Timothy Bowden, Pratt, McDowell, Warden Nurse, Dr. Paul

TOPICS

- prisoners rights
- section 1983
- civil rights
- civil procedure
- constitutional law

PRACTICE AREAS

civil rights

constitutional law

prisoners rights

civil procedure

QUESTIONS PRESENTED

1. Whether Weeden adequately pleaded an Eighth Amendment excessive-force claim against Bowden.
2. Whether Weeden adequately pleaded an Eighth Amendment conditions-of-confinement claim against Pratt and McDowell.
3. Whether Weeden adequately pleaded a constitutional retaliation claim against Nurse and Dr. Paul.
4. Whether Weeden demonstrated a reasonable attempt to obtain counsel sufficient to satisfy the first prong of the standard for appointment of counsel in civil litigation.

HOLDINGS

1. Allegations that Bowden hurt Weeden's wrist and hands while removing his handcuffs and sprayed him twice in the face while he was cuffed to his cell door were sufficient to proceed on an Eighth Amendment excessive-force claim.
2. Allegations that Pratt and McDowell denied Weeden a shower to remove mace and refused to clean his cell after he was sprayed were sufficient to proceed on an Eighth Amendment conditions-of-confinement claim.
3. Weeden's conclusory allegation that Nurse and Dr. Paul retaliated against him by transferring him to Menard failed to state a constitutional claim because he did not allege the reason for the retaliation, why the transfer was retaliatory, or how either defendant was personally involved.
4. Weeden was not entitled to appointed counsel because he did not demonstrate a reasonable attempt to obtain counsel on his own, although the motion was denied with leave to renew.

KEY QUOTATIONS

“To state an excessive force claim, Plaintiff must allege that the force was applied maliciously and sadistically, not in a good faith effort to maintain or restore discipline.”

“To state an Eighth Amendment conditions of confinement claim, Plaintiff must allege: (1) the conditions were so adverse that they deprived him “of the minimal civilized measure of life's necessities;” and (2) the defendant acted with deliberate indifference with respect to the conditions.”

“There is no right to court-appointed counsel in federal civil litigation.”

FACTUAL BACKGROUND

Weeden alleged that Lieutenant Bowden injured his wrist and scraped his fingers and hand while removing handcuffs, sprayed him twice in the face while he was cuffed to his cell door, and left him there. He further alleged that Lieutenants Pratt and McDowell denied his requests for a shower to remove the spray and for his cell to be cleaned. Weeden alleged, in conclusory terms, that Warden Nurse and Dr. Paul retaliated against him by transferring him to Menard Correctional Center.

PROCEDURAL HISTORY

Weeden filed a complaint under 42 U.S.C. § 1983 concerning events at Pontiac Correctional Center and separately moved for appointment of counsel. The court screened the complaint, allowed an excessive-force claim against Bowden and a conditions-of-confinement claim against Pratt and McDowell to proceed, dismissed Nurse and Dr. Paul without prejudice, and denied the motion for counsel with leave to renew. The case was directed to proceed to service.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. United States, 721 F.3d 418, 422 (7th Cir. 2013)
- Whitley v. Albers, 475 U.S. 312, 320-21 (1986)
- Outlaw v. Newkirk, 259 F.3d 833, 837-38 (7th Cir. 2001)
- Reid v. Melvin, 695 F. App'x 982, 983-84 (7th Cir. 2017)
- Townsend v. Fuchs, 522 F.3d 765, 773 (7th Cir. 2008)
- Farmer v. Brennan, 511 U.S. 832, 834 (1994)
- Gray v. Hardy, 826 F.3d 1000, 1005 (7th Cir. 2016)
- Lewis v. Lane, 816 F.2d 1165, 1171 (7th Cir. 1987)
- Vance v. Peters, 97 F.3d 987, 991 (7th Cir. 1996)
- Olson v. Morgan, 750 F.3d 708, 711 (7th Cir. 2014)
- Pruitt v. Mote, 503 F.3d 647, 649, 655 (7th Cir. 2007)
- Eagan v. Dempsey, 987 F.3d 667, 682 (7th Cir. 2021)