

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Bibiloni v. Roberts, et al.

No. 3:25-CV-00071 (SFR) (D. Conn. Jan. 9, 2026) · No. 3:25-CV-00071 (SFR) · Decided January 9, 2026

SUMMARY

This initial review order addresses Kenneth Bibiloni’s 42 U.S.C. § 1983 claims concerning his placement in the Security Risk Group unit at New Haven Correctional Center. The court dismissed his First Amendment claim with prejudice and dismissed his Fourteenth Amendment procedural due process and Eighth Amendment conditions-of-confinement claims without prejudice for failure to allege defendants’ personal involvement. The court granted leave to amend the latter two claims by February 13, 2026.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                          |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Connecticut                                                                                                                                                                                                                                                                             |
| WRITING FOR THE COURT | Sarah F. Russell                                                                                                                                                                                                                                                                                                                         |
| JURISDICTION          | United States District Court for the District of Connecticut                                                                                                                                                                                                                                                                             |
| DECIDED               | January 9, 2026                                                                                                                                                                                                                                                                                                                          |
| DOCKET                | 3:25-CV-00071 (SFR)                                                                                                                                                                                                                                                                                                                      |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | Initial review of an amended pro se complaint under 28 U.S.C. § 1915(e)(2)(B), after the plaintiff was released from incarceration and before defendants were served.                                                                                                                                                                    |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915(e)(2)(B), the court reviewed whether the amended complaint stated a plausible claim for relief. The court construed the pro se complaint liberally but required factual allegations sufficient to meet the plausibility standard and disregarded allegations contradicted by judicially noticeable court records. |
| PRECEDENTIAL VALUE    | Nonprecedential district court initial-review order                                                                                                                                                                                                                                                                                      |
| PARTIES               | Kenneth Bibiloni v. Roberts, Dawson, Zack, Captain Papoosha, Craig Washington                                                                                                                                                                                                                                                            |

TOPICS

- section 1983
- prisoners rights
- procedural due process
- first amendment
- cruel and unusual punishment

## PRACTICE AREAS

civil rights

constitutional law

prisoners' rights

civil procedure

remedies

## QUESTIONS PRESENTED

1. Whether Bibiloni's use of social-media photographs and other electronic communications to designate him as an SRG prisoner stated a First Amendment claim.
2. Whether the allegations concerning lack of notice, inadequate process, and insufficient evidence at the SRG designation hearing stated a Fourteenth Amendment procedural due process claim.
3. Whether the alleged conditions in the SRG unit stated an Eighth Amendment conditions-of-confinement claim.
4. Whether the named defendants were personally involved in the alleged constitutional violations.
5. Whether Bibiloni could obtain injunctive relief after his release from prison and damages against defendants in their official capacities.

## HOLDINGS

1. Bibiloni's request for injunctive relief against the prison officials was moot because he had been released from custody.
2. Claims for damages against the defendants in their official capacities were barred by the Eleventh Amendment.
3. Using Bibiloni's social-media posts to designate him as an SRG prisoner did not state a First Amendment claim on the allegations presented, so the claim was dismissed with prejudice.
4. For purposes of initial review, Bibiloni sufficiently alleged that his months-long SRG confinement and conditions constituted an atypical and significant hardship, establishing a protected liberty interest.
5. An incarcerated person facing administrative restrictive confinement must receive some notice of the charges, an opportunity to present views, a proceeding within a reasonable time, and a decision supported by some reliable evidence.
6. The procedural due process claim was dismissed without prejudice because the complaint did not allege facts showing that any named defendant was personally responsible for failing to provide notice or for designating Bibiloni as an SRG prisoner on insufficient evidence.
7. Bibiloni plausibly alleged conditions that could potentially violate the Eighth Amendment, but the claim was dismissed without prejudice because he did not allege the personal involvement of any named defendant.

## KEY QUOTATIONS

*"A prisoner's release moots an action seeking injunctive relief against the prison, but not an action seeking damages." (at 3)*

*"But these interests will be generally limited to freedom from restraint which, while not exceeding the sentence in such an unexpected manner as to give rise to protection under the Due Process Clause of its own*

*force . . . nonetheless imposes an atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life.” (at 9)*

*“Under Hewitt, the incarcerated individual must receive “some notice of the charges against him and an opportunity to present his views to the prison official charged with deciding whether to transfer him to administrative segregation.”” (at 10)*

*“To establish an Eighth Amendment claim based on his conditions of confinement, Bibiloni must allege facts showing that the conditions resulted in a deprivation that was sufficiently serious, and Defendants acted with deliberate indifference to his health or safety.” (at 12)*

## FACTUAL BACKGROUND

Bibiloni was placed in restrictive housing at New Haven Correctional Center for alleged Security Risk Group activity based on social-media photographs, phone transcripts, electronic messages, and other photographs. He alleged that he lacked proper notice of the SRG hearing, that the hearing outcome was predetermined, and that he was subjected to months of restrictive SRG-unit conditions, including limited communication and commissary access, no visits or programming, inadequate medical care, moldy showers, and other allegedly unsanitary conditions. He sued prison officials for damages and injunctive relief under 42 U.S.C. § 1983, but was released from custody while the action was pending.

## PROCEDURAL HISTORY

Bibiloni filed a § 1983 complaint concerning his placement and treatment in the Security Risk Group unit at New Haven Correctional Center. He filed an amended complaint, which replaced the original complaint because defendants had not been served. After Bibiloni was released from custody, the court conducted initial review under § 1915(e)(2)(B). The court dismissed the First Amendment claim with prejudice and dismissed the Fourteenth Amendment procedural due process and Eighth Amendment conditions-of-confinement claims without prejudice, granting leave to amend those two claims.

## DISPOSITION

dismissed

## CASES CITED

- *Jordan v. Chiaroo*, No. 3:24-CV-204 (VAB), 2024 WL 3925375, at \*3 (D. Conn. Aug. 23, 2024)
- *Int’l Controls Corp. v. Vesco*, 556 F.2d 665, 668 (2d Cir. 1977)
- *Dinh v. Doe*, No. 3:24-CV-1042 (OAW), 2024 WL 3343006, at \*3 (D. Conn. July 9, 2024)
- *Sykes v. Bank of Am.*, 723 F.3d 399, 403 (2d Cir. 2013)
- *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474 (2d Cir. 2006)
- *Tracy v. Freshwater*, 623 F.3d 90, 101-02 (2d Cir. 2010)
- *Fowlkes v. Ironworkers Local 40*, 790 F.3d 378, 387 (2d Cir. 2015)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 663, 678 (2009)

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557 (2007)
- Tripathy v. McKoy, 103 F.4th 106, 113 (2d Cir. 2024)
- Ciaprazi v. Jacobson, 719 F. App'x 86, 87 (2d Cir. 2018)
- Kentucky v. Graham, 473 U.S. 159, 169 (1985)
- Wright v. Smith, 21 F.3d 496, 501 (2d Cir. 1994)
- Victory v. Pataki, 814 F.3d 47, 67 (2d Cir. 2016)
- Provost v. City of Newburgh, 262 F.3d 146, 155 (2d Cir. 2001)
- Tangreti v. Bachmann, 983 F.3d 609, 620 (2d Cir. 2020)
- Baxter v. Wagner, 802 F. App'x 32, 33 n.1 (2d Cir. 2020)
- Dunlea v. Fed. Bureau of Prisons, No. 3:10-CV-214 (CFD), 2010 WL 1727838, at \*2 (D. Conn. Apr. 26, 2010)
- Analytical Diagnostic Labs, Inc. v. Kusel, 626 F.3d 135 (2d Cir. 2010)
- United States v. Amen, 831 F.2d 373, 379-80 (2d Cir. 1987)
- Mitchell v. Washington, No. 3:24-CV-864 (SFR), 2025 WL 2336875, at \*11 (D. Conn. Aug. 13, 2025)
- United States v. Lifshitz, 369 F.3d 173, 190 (2d Cir. 2004)
- Packingham v. North Carolina, 582 U.S. 98, 108 (2017)
- Robinson v. Doe 1, No. 3:23-CV-1631 (SVN), 2024 WL 1639539, at \*3 (D. Conn. Apr. 16, 2024)
- Shaw v. Washington, No. 3:24-CV-00654 (KAD), 2024 WL 2053403, at \*2 (D. Conn. May 8, 2024)
- Lawrence v. Zack, No. 24-CV-1142 (VDO), 2024 WL 4116928, at \*5 (D. Conn. Sept. 9, 2024)
- Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532, 541 (1985)
- Swarthout v. Cooke, 562 U.S. 216, 219 (2011)
- Meachum v. Fano, 427 U.S. 215, 225, 228 (1976)
- Quinones v. Quiros, No. 3:24-CV-1805 (OAW), 2025 WL 90125, at \*2 (D. Conn. Jan. 14, 2025)
- Sandin v. Conner, 515 U.S. 472, 484 (1995)
- Palmer v. Richards, 364 F.3d 60, 64-66 (2d Cir. 2004)
- Hynes v. Squillace, 143 F.3d 653, 658-59 (2d Cir. 1998)
- Arce v. Walker, 139 F.3d 329, 335-36 (2d Cir. 1998)
- Frazier v. Coughlin, 81 F.3d 313, 317 (2d Cir. 1996)
- Velez-Shade v. Population Mgmt., 2019 WL 4674767, at \*11-12
- Walker v. Doe 1, No. 3:23-cv-1469 (SVN), 2024 WL 406299, at \*4 (D. Conn. Feb. 2, 2024)
- Wicker v. Papoosha, No. 3:24-cv-1640 (VAB), 2025 WL 744273, at \*5 (D. Conn. Mar. 7, 2025)
- Jusino v. Rinaldi, No. 3:18-CV-2004 (MPS), 2019 WL 2720763, at \*5-6 (D. Conn. June 27, 2019)
- Fowler v. Dep't of Corr., No. 3:17-CV-848 (JAM), 2019 WL 1025243, at \*5 (D. Conn. Mar. 4, 2019)
- Hewitt v. Helms, 459 U.S. 460, 476 (1983)
- Proctor v. LeClaire, 846 F.3d 597, 609 (2d Cir. 2017)
- Superintendent, Massachusetts Corr. Inst., Walpole v. Hill, 472 U.S. 445, 454 (1985)
- Elder v. McCarthy, 967 F.3d 113, 123 (2d Cir. 2020)

- Hayes v. Behm, No. 3:25-CV-294 (SRU), 2025 WL 3268347, at \*6 (D. Conn. Nov. 24, 2025)
- Muniz v. Cook, No. 3:20-CV-1533 (MPS), 2021 WL 5919818, at \*4 (D. Conn. Dec. 15, 2021)
- Baltas v. Rizvani, No. 3:21CV436 (MPS), 2023 WL 6216782, at \*2 (D. Conn. Sept. 25, 2023)
- Rodriguez v. Lindsay, 498 F. App'x 70, 72 (2d Cir. 2012)
- Edwards v. Dawson, No. 3:24-CV-1821 (VDO), 2025 WL 1733246, at \*4-6 (D. Conn. June 20, 2025)
- Costa v. Kocaqi, No. 3:24-CV-01586 (KAD), 2025 WL 1207538, at \*8 (D. Conn. Apr. 25, 2025)
- Darnell v. Pineiro, 849 F.3d 17, 29 (2d Cir. 2017)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Rhodes v. Chapman, 452 U.S. 337, 347, 349 (1981)
- Walker v. Schult, 717 F.3d 119, 125 (2d Cir. 2013)
- Rooks v. Santiago, No. 3:20CV299 (MPS), 2020 WL 6784262, at \*5 (D. Conn. Nov. 18, 2020)

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