

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, INDIANAPOLIS DIVISION

Seth Vilchuck v. Trent Allen, Warden PCF, et al.

No. 1:25-cv-02333-JPH-KMB, United States District Court for the Southern District of Indiana, Indianapolis
Division (April 20, 2026)

SUMMARY

The United States District Court for the Southern District of Indiana screens Seth Vilchuck’s prisoner complaint concerning alleged deliberate indifference to his opioid-treatment needs and retaliation. The court allows Eighth Amendment deliberate-indifference claims and First Amendment retaliation claims to proceed against the defendants, dismisses all other claims, and directs service of process. The court also clarifies that the retaliation claims may be based only on grievances and lawsuits, not on a prior physical altercation with prison guards.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	James Patrick Hanlon
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	April 20, 2026
DOCKET	1:25-cv-02333-JPH-KMB
DISPOSITION	other
PROCEDURAL POSTURE	The district court screened a prisoner's complaint before service under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	For § 1915A screening, the court applies the same pleading standard used for a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), accepting factual allegations as true but not legal conclusions and construing a pro se complaint liberally.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- prisoners rights
- section 1983
- civil rights
- pleadings
- service of process

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim under the Eighth Amendment for deliberate indifference to a serious medical need.
2. Whether the complaint stated a plausible First Amendment retaliation claim based on grievances and civil lawsuits.
3. Whether the alleged December 2023 physical altercation with prison guards could serve as protected First Amendment activity supporting a retaliation claim.
4. Which claims should proceed and which claims should be dismissed during screening under 28 U.S.C. § 1915A.

HOLDINGS

1. The complaint stated viable Eighth Amendment deliberate-indifference claims against all named defendants based on the alleged failure to provide or facilitate adequate treatment for Vilchuck's opioid addiction.
2. The complaint stated viable First Amendment retaliation claims against all named defendants to the extent the alleged retaliation was based on Vilchuck's grievances and civil lawsuits.
3. The December 2023 physical altercation could not serve as the protected activity underlying a First Amendment retaliation claim because the altercation was not protected First Amendment activity.

KEY QUOTATIONS

“When screening a complaint, the Court must dismiss any portion that is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.” (at Screening Standard)

“enough facts to state a claim to relief that is plausible on its face.” (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.” (556 U.S. at 678)

FACTUAL BACKGROUND

Vilchuck, incarcerated at Pendleton Correctional Facility, alleged that he suffers from opioid addiction and experienced adverse reactions to Naltrexone and/or Vivitrol after previously receiving Suboxone. He alleged that prison and medical personnel failed to assist him in obtaining alternative medication or continuing in the Medication Assisted Treatment program, and that one nurse forced him to try Naltrexone again. He also alleged that defendants retaliated against him for filing grievances and civil lawsuits, while seeking damages and injunctive relief requiring Suboxone treatment.

PROCEDURAL HISTORY

Seth Vilchuck filed a civil-rights complaint against prison and medical personnel alleging deliberate indifference to his opioid-addiction treatment needs and retaliation. Before service, the court screened the complaint under 28 U.S.C. § 1915A, determined that the deliberate-indifference and retaliation claims could proceed, dismissed all other claims identified in the complaint, and directed service of process.

DISPOSITION

other

CASES CITED

- Schillinger v. Kiley, 954 F.3d 990, 993 (7th Cir. 2020)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Cesal v. Moats, 851 F.3d 714, 720 (7th Cir. 2017)
- Vilchuck v. Manning, No. 1:25-cv-00021-MPB-MKK
- Vilchuck v. Ballenger et al., No. 1:24-cv-00141-TWP-MJD, dkt. 110

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