

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PRECEDENTIAL VALUE	unpublished district court order; nonprecedential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

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION SETH VILCHUCK,)) Plaintiff,)) v.) No. 1:25-cv-02333-JPH-KMB) TRENT ALLEN Warden PCF,) MAVES Mrs., ARS MAT Program,) Centurion Health,) LISA HAMBLIN AHSA, Centurion Health) of PCF,) KELLY MCCAFFERTY MAT) program/MHS Centurion Health PCF,) JOHN NWANNUNU Dr., Centurion Health) PCF,) ABBY Mrs., RN, MAT Program PCF,) MILLER Mrs., Centurion Health PCF,)) Defendants.) ORDER SCREENING COMPLAINT AND DIRECTING FURTHER PROCEEDINGS Plaintiff Seth Vilchuck is a prisoner currently incarcerated at Pendleton Correctional Facility ("Pendleton").

He filed this civil action alleging Defendants have been deliberately indifferent to a serious medical need and have retaliated against him. Because the plaintiff is a "prisoner," this Court must screen the complaint before service on the defendants. 28 U.S.C. § 1915A(a), (c).

I. Screening Standard 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. 28 U.S.C. § 1915A(b).

To determine whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). See Schillinger v. Kiley, 954 F.3d 990, 993 (7th Cir. 2020).

Under that standard, a complaint must include "enough facts to state a claim to relief that is plausible on its face." Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). "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."

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). The Court construes pro se complaints liberally and holds them to a "less stringent standard than pleadings drafted by lawyers." Cesal v. Moats, 851 F.3d 714, 720 (7th Cir. 2017). II.

The Complaint The Court accepts Mr. Vilchuck's factual allegations as true at the pleading stage but not his legal conclusions. See Iqbal, 556 U.S. at 678 ("we must take all of the factual allegations in the complaint as true," but "we 'are not bound to accept as true a legal conclusion couched as a factual allegation'") (quoting Twombly, 550 U.S. at 555)).

The complaint names as defendants (1) Pendleton Warden Trent Allen; (2) Addiction Recovery Services ("ARS") staff member Mrs. Maves; (3) AHSA Lisa Hamblen; (4) MHS Kelly McCafferty; (5) Dr. John Nwannunu; (6) Mrs. Miller; (7) RN Mrs. Abby. Mr. Vilchuck suffers from an opioid addiction.

In 2021, while not incarcerated, Mr. Vilchuck was prescribed suboxone to help treat his addiction. In April 2024, at Pendleton, Nurse Practitioner Lindsey Manning prescribed Naltrexone and/or Vivitrol for Mr. Vilchuck, which is an alternative medication from suboxone for treating opioid addiction.¹ Mr. Vilchuck experienced negative side effects from these medications, including difficulty breathing, heart palpitations, and pain in his kidneys and sides.

Mrs. Maves is a staff member for the Pendleton Medication Assisted Treatment ("MAT") program. Mr. Vilchuck asked her for assistance to continue participating in the MAT program and trying suboxone instead of Naltrexone and/or Vivitrol, but she never responded to his requests. Mr. Vilchuck also alleges Warden Allen has ignored his grievances and appeals about not being allowed to continue participating in the MAT program.

Mr. Vilchuck's claim regarding Dr. Nwannunu is that Mr. Vilchuck "had nurses Jennifer and Ms. Collins write a report about the allergic reactions and had the medication discontinued during April 2024 plaintiff continued to seek a alternative medication still to date November 4th, 2025, Defendant has no care of plaintiff's urgent need for opioid treatment...."

Dkt. 1 at 8. AHSA Lisa Hamblen also has not assisted in obtaining alternative treatment for Mr. Vilchuck's opioid addiction, despite his sending letters and requests for healthcare to her. Mr. Vilchuck claims Mrs. Miller is a Centurion employee who has not responded to his requests for healthcare related to the MAT program. MHS McCafferty also has not assisted Mr. Vilchuck in participating in the MAT program with use of 1 Mr. Vilchuck is pursuing a separate lawsuit against NP Manning.

Vilchuck v. Manning, No. 1:25-cv-00021-MPB-MKK. NP Manning has filed a motion for summary judgment in that case. The Court considered whether it would be appropriate to consolidate this case with NP Manning's case, given the significant overlap between the claims in that case and this case.

However, because these cases are in much different procedural postures, it would not be in the interests of judicial economy to now order consolidation. an alternative medication despite asking for her help in person.

Finally, Nurse Mrs. Abby at some point "forced" Mr. Vilchuck to try Naltrexone again despite his known previous bad reaction to that medication. Mr. Vilchuck asserts that he has been suffering physical and mental harm because of failing to receive adequate treatment for his opioid addiction and that he fears overdosing and dying if not adequately treated.

In addition, Mr. Vilchuck believes all the defendants have in part been retaliating against him, based on a physical altercation he had with prison guards in December 2023 and in response to his filing of grievances and civil lawsuits, including the one against NP Manning. He also believes the retaliation became worse once it became known that the possibility of him being transferred to a different facility was being discussed as part of global settlement negotiations in several of his pending lawsuits.² Mr. Vilchuck is seeking damages, plus injunctive relief that would require him to receive "suboxone 8 mg once a day as I reside in the DOC."

Id. at 14. III. Discussion of Claims Applying the screening standard to the factual allegations in the complaint, claims against all Defendants shall proceed under the Eighth ² After this complaint was filed, a global settlement conference held by Magistrate Judge Baker was unsuccessful, and Mr. Vilchuck remains at Pendleton. See, e.g., Vilchuck v. Ballenger et al., No. 1:24-cv-00141-TWP-MJD, dkt.

110. Amendment for deliberate indifference to a serious medical need and under the First Amendment for retaliation.³ This summary of claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through May 11, 2026, in which to file a motion to reconsider the screening order.

IV. Conclusion and Service of Process The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Trent Allen, Mrs. Maves, Lisa Hamblen, Kelly McCafferty, Dr. John Nwannunu, Nurse Abby, and Mrs. Miller in the manner specified by Rule 4(d). Process shall consist of the complaint filed on November 10, 2025, dkt.

[1], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. Defendants Maves, Hamblen, McCafferty, Dr. Nwannunu, Nurse Abby, and Mrs. Miller are identified as employees of Centurion Health of

Indiana. A copy of this Order and the process documents shall also be served on Centurion electronically.

Centurion is ORDERED to provide the full name and last known home address of any defendant who does not waive service if they have such information. This information shall be filed ex parte. 3 To be clear, Mr. Vilchuck's retaliation claims can only be based on alleged retaliation for his grievances and lawsuits. His December 2023 physical altercation with guards cannot be the basis of a retaliation claim, because that altercation would not constitute protected First Amendment activity.

The clerk is directed to serve the Indiana Department of Correction and Centurion employees electronically. Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure. SO ORDERED. Date: 4/20/2026 Pat tanbor— James Patrick Hanlon United States District Judge Southern District of Indiana Distribution: Electronic service to Indiana Department of Correction: Warden Trent Allen (At Pendleton Correctional Facility) Electronic service to Centurion Mrs. Maves Lisa Hamblen Kelly McCafferty Dr. John Nwannunu Nurse Abby Mrs. Miller SETH VILCHUCK 149912 PENDLETON - CF PENDLETON CORRECTIONAL FACILITY Electronic Service Participant — Court Only