

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NORTH CAROLINA, STATESVILLE DIVISION

Elijah E. Pacheco v. Robert Anderson, et al.

No. 5:24-cv-41-MEO (W.D.N.C. Dec. 29, 2025) · No. 5:24-cv-41-MEO · Decided December 29, 2025

SUMMARY

The United States District Court for the Western District of North Carolina granted summary judgment to jail officials in a pretrial detainee’s 42 U.S.C. § 1983 failure-to-protect action arising from an inmate assault. The court dismissed the action with prejudice, granted in part and denied in part the defendants’ motion to seal, and ordered permanent sealing of manually filed video footage.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina, Statesville Division
WRITING FOR THE COURT	Matthew E. Orso Wy
JURISDICTION	United States District Court for the Western District of North Carolina, Statesville Division
DECIDED	December 29, 2025
DOCKET	5:24-cv-41-MEO
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action against jail officials alleging that they failed to protect him from an inmate assault. Defendants moved for summary judgment and to seal certain exhibits. The court granted summary judgment, dismissed the action with prejudice, and granted the motion to seal in part.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court viewed the evidence and reasonable inferences in the light most favorable to the nonmoving party, but considered only evidence admissible at trial and required the nonmoving party to identify specific record evidence supporting a genuine issue for trial.
PRECEDENTIAL VALUE	unpublished district court memorandum decision; nonprecedential

TOPICS

section 1983

prisoners rights

qualified immunity

summary judgment

civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

QUESTIONS PRESENTED

1. Whether the defendants violated Pacheco's Fourteenth Amendment rights by failing to protect him from an unreasonable risk of harm when he was reassigned to a housing pod where a previously threatening inmate was housed.
2. Whether the defendants were entitled to qualified immunity on the failure-to-protect claim.
3. Whether the defendants established sufficient grounds to permanently seal the manually filed video footage and to seal the jail operating procedures.

HOLDINGS

1. The defendants were entitled to summary judgment because Pacheco did not forecast evidence showing that they knew or should have known that Robinson posed a serious risk to his safety when Pacheco was reassigned to D-Pod, or that the defendants' conduct was more than negligent.
2. The official-capacity claims failed because Pacheco forecast no evidence that a WCJ custom or policy caused a constitutional violation, and there was no underlying constitutional injury.
3. The defendants were entitled to qualified immunity because Pacheco failed to present evidence that they violated a constitutional right.
4. The motion to seal was granted as to the manually filed video footage because the footage contained confidential, non-public information and no adequate alternative to permanent sealing existed. The request concerning WCJ operating procedures was denied without prejudice because it was insufficiently specified and, as to publicly docketed materials, appeared waived.

KEY QUOTATIONS

“The Plaintiff has not forecast evidence that the Defendants knew or should have known that Inmate Robinson still posed a serious risk to the Plaintiff’s safety at the time of the reassignment, or that their failure to recognize that such a risk existed was anything more than negligent.” (Discussion § IV.A)

“For the reasons stated herein, the Defendants’ Motion for Summary Judgment is granted and this action is dismissed with prejudice.” (Conclusion)

FACTUAL BACKGROUND

Pacheco was a pretrial detainee at the Wilkes County Jail. After reporting in August 2022 that his cellmate Robinson had threatened him, Pacheco was separated from Robinson and later requested reassignment. In June 2023, Lieutenant Call reassigned Pacheco to D-Pod, where Robinson was housed, and Pacheco did not object

before or after the reassignment. Twelve days later, Pacheco, Robinson, and another inmate were involved in a physical altercation; the defendants did not witness or respond to the fight.

PROCEDURAL HISTORY

The unverified complaint passed initial review on failure-to-protect claims against Robert Anderson, Johnathan Call, and Shelby Wyatt. After the defendants moved for summary judgment, the court issued a Roseboro notice, received plaintiff's verified response and surreply, and considered the evidentiary forecast. The court granted summary judgment on the individual- and official-capacity claims, found qualified immunity independently applicable, granted the sealing motion as to manually filed video footage, denied it as to unspecified operating procedures without prejudice, and directed entry of judgment.

DISPOSITION

dismissed

CASES CITED

- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48, 248, 255 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 n.3, 323-24 (1986)
- Kennedy v. Joy Technologies, Inc., 269 F. App'x 302, 308 (4th Cir. 2008)
- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Goodman v. Diggs, 986 F.3d 493 (4th Cir. 2021)
- Haines v. Kerner, 404 U.S. 519 (1972)
- Williamson v. Stirling, 912 F.3d 154, 171 (4th Cir. 2019)
- Vinnedge v. Gibbs, 550 F.2d 926, 928 (4th Cir. 1977)
- Kentucky v. Graham, 473 U.S. 159, 165 (1985)
- Collins v. City of Harker Heights, 503 U.S. 115, 120-21 (1992)
- Moore v. City of Creedmoor, 345 N.C. 356, 366, 481 S.E.2d 14, 21 (1997)
- Farmer v. Brennan, 511 U.S. 825 (1994)
- Brown v. Harris, 240 F.3d 383, 388-90 (4th Cir. 2001)
- Short v. Hartman, 87 F.4th 593, 611-12 (4th Cir. 2023)
- Carmona v. Martin, No. 23-6930, 2024 WL 4490695 (4th Cir. Oct. 15, 2024)
- Carpenter v. Trammel, No. 1:18-cv-16, 2019 WL 2088424, at *7 (W.D.N.C. May 13, 2019)
- City of Los Angeles v. Heller, 475 U.S. 796, 799 (1986)
- Waybright v. Frederick County, Maryland, 528 F.3d 199, 203 (4th Cir. 2008)
- Henry v. Purnell, 652 F.3d 524, 531 (4th Cir. 2011) (en banc)
- E.W. ex rel. T.W. v. Dolgos, 884 F.3d 172, 178 (4th Cir. 2018)

- Smith v. Ray, 781 F.3d 95, 100 (4th Cir. 2015)
- Rushford v. New Yorker Magazine, Inc., 846 F.2d 249, 253 (4th Cir. 1988)
- Nixon v. Warner Communications, Inc., 435 U.S. 589, 598 (1978)
- In re Washington Post Co., 807 F.2d 383, 390 (4th Cir. 1986)
- In re State-Record Co., Inc., 917 F.2d 124, 127 (4th Cir. 1990)
- Press-Enterprise Co. v. Superior Court of California, 464 U.S. 501, 510 (1984)

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