

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Ronnel Fitzgerald v. Paula Lampe et al.

Fitzgerald · No. 24-cv-1453-bhl · Decided April 2, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin considers whether Ronnel Fitzgerald exhausted administrative remedies for retaliation claims under 42 U.S.C. § 1983. The court grants summary judgment to Lampe, Patt, Sitzman, and Ryan because Fitzgerald’s inmate complaints did not notify the institution of the alleged retaliation based on prior protected activity. The court denies summary judgment as to Haynes, finding that one inmate complaint provided adequate notice of the alleged retaliatory conduct.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	April 2, 2026
DOCKET	24-cv-1453-bhl
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 prisoner-retaliation action. Defendants moved for summary judgment on the ground that Plaintiff failed to exhaust available administrative remedies under the Prison Litigation Reform Act.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the evidence and draws reasonable inferences in favor of the nonmoving party. Whether administrative remedies were exhausted was evaluated under the PLRA's notice-based exhaustion standard.
PRECEDENTIAL VALUE	unpublished district court decision
PARTIES	Ronnel Fitzgerald v. Paula Lampe, Katie Patt, Sandy Sitzman, Timothy Ryan, Nathan Haynes

TOPICS

summary judgment

prisoners rights

civil rights

section 1983

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether Fitzgerald exhausted available administrative remedies for his retaliation claims against Lampe, Patt, Sitzman, and Ryan by filing inmate complaints that notified the institution that the alleged medical-appointment misconduct was motivated by his prior protected activity.
2. Whether inmate complaint DCI-2022-7147 exhausted Fitzgerald's retaliation claim against Haynes by notifying the institution that Haynes's conduct at the disciplinary hearing was motivated by Fitzgerald's prior complaints.

HOLDINGS

1. Fitzgerald failed to exhaust available administrative remedies because his inmate complaints did not notify the institution that the alleged medical-appointment misconduct was undertaken in retaliation for his prior protected activity.
2. Fitzgerald exhausted his retaliation claim against Haynes because inmate complaint DCI-2022-7147 notified the institution that Haynes allegedly acted improperly at the disciplinary hearing because Fitzgerald had previously submitted complaints about Haynes and the department he supervised.

KEY QUOTATIONS

“Fitzgerald was not required to use the word “retaliation”; he was required only to describe what he believed to be improper conduct by a staff member done in response to or because of his protected activity.” (Analysis § 2)

“But merely using the word “retaliation” is insufficient to make it so.” (Analysis § 1)

“The exhaustion requirement protects the prison’s administrative authority by giving it an opportunity to correct its own mistakes before suit is filed against it in federal court.” (Legal Standard)

FACTUAL BACKGROUND

Fitzgerald, who was incarcerated at the relevant times, alleged that correctional and health-care staff fabricated a conduct report and retaliated against him for filing complaints, and that Haynes retaliated against him by finding him guilty at a disciplinary hearing. He submitted at least seven inmate complaints concerning the medical appointment and disciplinary proceedings. Some complaints described misconduct without identifying prior protected activity, while complaint DCI-2022-7147 stated that Fitzgerald had previously submitted complaints about Haynes and the department he supervised. The conduct report was later expunged after the Dane County Circuit Court found that Haynes had inadequately explained the denial of witnesses and video evidence, without reaching the merits of the conduct report.

PROCEDURAL HISTORY

Fitzgerald proceeded on retaliation claims against Lampe, Patt, Sitzman, and Ryan arising from an alleged medical-appointment incident, and against Haynes arising from a disciplinary hearing. Defendants moved for summary judgment on exhaustion grounds. The court granted the motion as to the claims against Lampe, Patt, Sitzman, and Ryan, denied it as to the claim against Haynes, terminated the first four defendants from the action, and allowed further merits summary-judgment motions.

DISPOSITION

other

CASES CITED

- Johnson v. Advocate Health & Hosps. Corp., 892 F.3d 887, 893 (7th Cir. 2018)
- Parker v. Four Seasons Hotels, Ltd., 845 F.3d 807, 812 (7th Cir. 2017)
- Siegel v. Shell Oil Co., 612 F.3d 932, 937 (7th Cir. 2010)
- Austin v. Walgreen Co., 885 F.3d 1085, 1087-88 (7th Cir. 2018)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Dole v. Chandler, 438 F.3d 804, 809 (7th Cir. 2006)
- King v. McCarty, 781 F.3d 889, 893 (7th Cir. 2015)
- Schillinger v. Kiley, 954 F.3d 990, 995-96 (7th Cir. 2020)
- Strong v. David, 297 F.3d 646, 650 (7th Cir. 2002)
- Maus v. Pagel, No. 23-2855, 2024 WL 1342582 (7th Cir. Mar. 29, 2024)
- Rogers v. Webster, No. 22-cv-1036, 2024 WL 1051321, at *4 (E.D. Wis. Mar. 11, 2024)

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