

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
INDIANA, FORT WAYNE DIVISION

Cortell D. Lockett v. Burkett

Lockett v. Burkett · No. 1:24-CV-326-TLS · Decided January 12, 2026

SUMMARY

The court granted Deputy Kamrynn Burkett’s motion for summary judgment in Cortell D. Lockett’s Fourteenth Amendment failure-to-protect action. The court concluded that Lockett presented no evidence that his brief placement in a cellblock created a substantial risk of serious harm, that Burkett failed to take reasonable protective measures, or that her conduct caused any injury.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Indiana, Fort Wayne Division                                                                                                                                                                                                                                                                                                    |
| WRITING FOR THE COURT | Theresa L. Springmann                                                                                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Northern District of Indiana, Fort Wayne Division                                                                                                                                                                                                                                                                                                    |
| DECIDED               | January 12, 2026                                                                                                                                                                                                                                                                                                                                                                          |
| DOCKET                | 1:24-CV-326-TLS                                                                                                                                                                                                                                                                                                                                                                           |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | Plaintiff, a pretrial detainee proceeding without a lawyer under 42 U.S.C. § 1983, brought a Fourteenth Amendment failure-to-protect claim against a deputy in her personal capacity. The defendant moved for summary judgment, and the plaintiff did not respond despite notice and an extended deadline.                                                                                |
| STANDARD OF REVIEW    | Summary judgment is appropriate when the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court construes facts and reasonable inferences in favor of the nonmoving party, but an opposing party may not rely solely on allegations or denials in the pleadings and must present supporting evidence. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                                                                                                                               |

TOPICS

summary judgment

section 1983

prisoners rights

due process

civil rights

## PRACTICE AREAS

civil procedure

civil rights

constitutional law

prisoner civil rights

remedies

## QUESTIONS PRESENTED

1. Whether summary judgment was proper on Lockett's Fourteenth Amendment failure-to-protect claim against Deputy Burkett.
2. Whether the undisputed evidence showed that Burkett placed Lockett at substantial risk of serious harm, failed to take reasonable available measures to abate that risk, and caused an injury.

## HOLDINGS

1. Summary judgment was warranted for Deputy Burkett because Lockett presented no evidence establishing that Burkett's conduct placed him at substantial risk of serious harm, that she failed to take reasonable available measures to abate the risk, or that her conduct caused an injury.
2. To establish a viable Fourteenth Amendment failure-to-protect claim, a pretrial detainee must provide evidence that the defendant intentionally decided the conditions of confinement, those conditions created a substantial risk of serious harm, the defendant failed to take reasonable available measures to abate the risk despite the obviousness of the high degree of risk, and that failure caused the plaintiff's injuries.

## KEY QUOTATIONS

*“summary judgment is appropriate “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””* (Fed. R. Civ. P. 56(a))

*“To establish a viable failure-to-protect claim under the Fourteenth Amendment, a pretrial detainee must provide evidence that: (1) the defendant made an intentional decision regarding the conditions of the plaintiff’s confinement; (2) those conditions put the plaintiff at substantial risk of suffering serious harm; (3) the defendant did not take reasonable available measures to abate the risk, even though a reasonable officer in the circumstances would have appreciated the high degree of risk involved, making the consequences of the defendant’s inaction obvious; and (4) the defendant, by not taking such measures, caused the plaintiff’s injuries.”* (39 F.4th at 841)

## FACTUAL BACKGROUND

Lockett was incarcerated at the Grant County Jail and had a designated “no mix” list identifying inmates from whom he was to be kept separate. On June 12, 2024, Burkett checked the jail's new software before taking Lockett to Cellblock 4A for his hour out; upon arrival, she checked a different computer, discovered that Lockett was not to be housed with Jaleel Smith, and immediately returned Lockett to the second floor. During the brief period Lockett was in Cellblock 4A's common area, other inmates were locked in their cells, no physical altercation occurred, and Lockett sustained no physical injury.

## PROCEDURAL HISTORY

Lockett alleged that Deputy Burkett placed him in Cellblock 4A with an inmate from whom he was supposed to be separated, after which he was attacked. Burkett moved for summary judgment on August 22, 2025, and the court extended Lockett's response deadline to November 28, 2025. Lockett filed no response, so the court considered the motion under Federal Rule of Civil Procedure 56 and granted summary judgment for Burkett, directed entry of judgment, and closed the case.

## DISPOSITION

other

## CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Heft v. Moore, 351 F.3d 278, 282 (7th Cir. 2003)
- Goodman v. Nat'l Sec. Agency, Inc., 621 F.3d 651, 654 (7th Cir. 2010)
- Tucker v. Randall, 948 F.2d 388, 390–91 (7th Cir. 1991)
- Mulvania v. Sheriff of Rock Island Cnty., 850 F.3d 849, 856 (7th Cir. 2017)
- Kemp v. Fulton County, 27 F.4th 491, 494 (7th Cir. 2022)
- Thomas v. Dart, 39 F.4th 835, 841 (7th Cir. 2022)
- Mays v. Dart, 974 F.3d 810, 819 (7th Cir. 2020)