

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Ali Cisse v. G. Hill, et al.

Cisse · No. 23-CV-6575-FPG · Decided November 24, 2025

SUMMARY

The United States District Court for the Western District of New York denied Defendant Brandi Corigliano’s motion for summary judgment without prejudice to renewal after discovery. The court held that pre-discovery summary judgment was inappropriate because Plaintiff alleged that Corigliano intentionally falsified medical records, making further discovery relevant to the accuracy of those records. The court also denied Plaintiff’s motion for reconsideration of the denial of appointed counsel.

CASE DETAILS

COURT	United States District Court for the Western District of New York
JURISDICTION	United States District Court for the Western District of New York
DECIDED	November 24, 2025
DOCKET	23-CV-6575-FPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action alleging, among other things, denial of adequate medical care. Defendant Brandi Corigliano moved for summary judgment before discovery had occurred. The court denied the motion without prejudice to renewal after discovery.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that there is no genuine dispute as to any material fact and is entitled to judgment as a matter of law. Although a summary-judgment motion may be filed before discovery closes, pre-discovery summary judgment is generally inappropriate when the nonmoving party has not had an opportunity to discover information essential to opposing the motion.
PRECEDENTIAL VALUE	Unknown; district-court decision marked per curiam with no reporter citation.
PARTIES	Ali Cisse v. G. Hill, et al., Brandi Corigliano

TOPICS

summary judgment

section 1983

prisoners rights

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional torts

summary judgment

QUESTIONS PRESENTED

1. Whether summary judgment should be granted before discovery on Cisse's deliberate-medical-indifference claim when Cisse alleges that the medical records submitted in support of the motion were intentionally falsified.
2. Whether Corigliano's motion should be denied without prejudice to renewal after discovery.

HOLDINGS

1. Pre-discovery summary judgment is inappropriate where the nonmoving party alleges that the evidentiary records supporting the motion were intentionally falsified and has not had an opportunity to obtain discovery concerning their accuracy.
2. Corigliano's motion for summary judgment was denied without prejudice to renewal at the close of discovery.

KEY QUOTATIONS

“Only in the rarest of cases may summary judgment be granted against a plaintiff who has not been afforded the opportunity to conduct discovery.”

“where it is clear that the nonmoving party cannot defeat the motion by showing facts sufficient to require a trial for resolution”

“had the opportunity to discover information that is essential to his opposition”

FACTUAL BACKGROUND

Cisse alleges that correctional officers used excessive force against him at Elmira Correctional Facility and that, after his transfer to Marcy Correctional Facility, Nurse Practitioner Brandi Corigliano denied him adequate medical care. He alleges that he reported serious and continuing injuries, requested an x-ray or MRI, and was denied diagnostic testing and meaningful treatment. Cisse further alleges that Corigliano relied on medical records from Elmira, failed to conduct an adequate independent assessment, and intentionally falsified or made false statements in his medical records. Corigliano supported her pre-discovery summary-judgment motion with medical records, while Cisse maintained that discovery was necessary to test their accuracy.

PROCEDURAL HISTORY

Cisse filed the action on October 2, 2023. The court screened the complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A and allowed, among other claims, the denial-of-medical-care claim against Corigliano to proceed to service. Corigliano moved for summary judgment on March 13, 2025, before discovery; the court denied the

motion without prejudice and directed that it could be renewed at the close of discovery. The court also denied plaintiff's motion for reconsideration of an earlier order denying appointment of counsel.

DISPOSITION

other

CASES CITED

- Nelson v. Deming, 140 F. Supp. 3d 248, 257 (W.D.N.Y. 2015)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Hellstrom v. U.S. Dep't of Veterans Affairs, 201 F.3d 94, 97 (2d Cir. 2000)
- Parra v. Wright, No. 11-CV-6270, 2013 WL 6669235, at *7 (W.D.N.Y. Dec. 18, 2013)
- Trebor Sportswear Co. v. The Ltd. Stores, Inc., 865 F.2d 506, 511 (2d Cir. 1989)
- Lewis v. Zon, 614 F. Supp. 2d 362, 364 (W.D.N.Y. 2009)