

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS

Andrew Holland v. Ashley Jones

Holland · No. 25-3409-SEM-DJQ · Decided April 14, 2026

SUMMARY

The United States District Court for the Central District of Illinois conducted a merit review under 28 U.S.C. § 1915A of Andrew Holland’s prisoner complaint against Ashley Jones. The court allowed Holland to proceed on a First Amendment claim alleging that Jones opened his legal mail outside his presence and directed that service be attempted. The order also set procedures concerning service, pleadings, discovery, deposition, address changes, and a qualified HIPAA protective order.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois
WRITING FOR THE COURT	Sue E. Myerscough
JURISDICTION	United States District Court for the Central District of Illinois
DECIDED	April 14, 2026
DOCKET	25-3409-SEM-DJQ
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action reviewed under the Prison Litigation Reform Act's mandatory screening provision after the plaintiff was granted leave to proceed in forma pauperis.
STANDARD OF REVIEW	On screening under 28 U.S.C. § 1915A, the court accepts factual allegations as true and liberally construes them in the plaintiff's favor, but conclusory statements and labels are insufficient; the complaint must state a claim that is plausible on its face.
PRECEDENTIAL VALUE	Nonprecedential district-court merit review order

TOPICS

- prisoners rights
- first amendment
- civil rights
- civil procedure
- service of process

PRACTICE AREAS

- civil rights
- prisoner litigation
- constitutional law

QUESTIONS PRESENTED

1. Whether Holland's allegation that a prison mailroom employee opened his purported legal mail outside his presence states a First Amendment claim sufficient to survive screening under 28 U.S.C. § 1915A.
2. Whether the letters Holland sent to and received from a Chicago law firm constituted legal mail for purposes of his First Amendment claim.

HOLDINGS

1. The complaint states a claim against Jones for violating Holland's First Amendment rights by opening his legal mail outside his presence, and the claim may proceed past merit review.

KEY QUOTATIONS

“A claim is legally insufficient if it “(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.””

“Plaintiff has a First Amendment right to send and receive mail and to have legal mail opened in his presence.”

“the Court finds that Plaintiff’s Complaint states a claim against Defendant for violating his First Amendment rights by opening his legal mail outside of his presence.”

FACTUAL BACKGROUND

Andrew Holland is an Illinois Department of Corrections inmate housed at Taylorville Correctional Center. He alleges that Ashley Jones, who works in Taylorville's mailroom, opened his legal mail outside his presence. The court questioned whether the mail exchanged with a Chicago law firm qualified as legal mail but allowed the claim to proceed so the factual record could be developed.

PROCEDURAL HISTORY

Andrew Holland filed a complaint against Ashley Jones, alleging that Jones opened his legal mail outside his presence. After granting Holland leave to proceed in forma pauperis, the court conducted a merit review under 28 U.S.C. § 1915A and allowed the First Amendment claim to proceed. The court directed service of process and set related answer and case-management procedures.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. U.S., 721 F.3d 418, 422 (7th Cir. 2013)
- Antonelli v. Sheahan, 81 F.3d 1422, 1432-33 (7th Cir. 1996)
- Wolff v. McDonnell, 418 U.S. 539, 576-77 (1974)

- Kaufman v. McCaughtry, 419 F.3d 678, 685 (7th Cir. 2005)

OPINION

Holland

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF ILLINOIS

ANDREW HOLLAND,)

) Plaintiff,)) v.) No.: 25-3409-SEM-DJQ))

ASHLEY JONES,)

) Defendant.)

MERIT REVIEW ORDER

SUE E. MYERSCOUGH, U.S. District Judge: Plaintiff Andrew Holland, proceeding pro se, is an inmate with the Illinois Department of Corrections (“IDOC”) who is housed at the IDOC’s Taylorville Correctional Center (“Taylorville”). The Court granted Plaintiff leave to proceed in forma pauperis, and the case is now before the Court for a merit review of Plaintiff’s claims contained within his Complaint. Because Plaintiff is a prisoner for purposes of the Prison Litigation Reform Act (“PLRA”), the Court is required by 28 U.S.C. § 1915A to “screen” Plaintiff’s Complaint and, through such process, to identify and to dismiss any legally insufficient claim or the entire action if warranted. A claim is legally insufficient if it “(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.” 28 U.S.C. § 1915A. In reviewing the complaint, the Court accepts the factual allegations as true, liberally construing them in the plaintiff’s favor. *Turley v. Rednour*, 729 F.3d 645, 649 (7th Cir. 2013). However, conclusory statements and labels are insufficient. Enough facts must be provided to “state a claim for relief that is plausible on its face.” *Alexander v. U.S.*, 721 F.3d 418, 422 (7th Cir. 2013) (citation omitted). Plaintiff alleges that Defendant Ashely Jones works in the mailroom at Taylorville. Plaintiff further alleges that Defendant Jones opened his legal mail outside of his presence in violation of his First Amendment rights. Plaintiff has a First Amendment right to send and receive mail and to have legal mail opened in his presence. *Antonelli v. Sheahan*, 81 F.3d 1422, 1432-33 (7th Cir. 1996); *Wolff v. McDonnell*, 418 U.S. 539, 576-77 (1974). Although the Court questions whether the letter that Plaintiff sent to a Chicago law firm and the letter that he received in response constitute “legal mail” for purposes of his First Amendment claim, the Court will allow Plaintiff to proceed on his First Amendment claim in order to develop the factual record more fully before making such a determination. *Kaufman v. McCaughtry*, 419 F.3d 678, 685 (7th Cir. 2005) (defining what constitutes legal mail). IT IS, THEREFORE, ORDERED:

1. Pursuant to its merit review of Plaintiff’s Complaint

under 28 U.S.C. § 1915A, the Court finds that Plaintiff’s Complaint states a claim against

Defendant for violating his First Amendment rights by opening his legal mail outside of his presence. Any additional claims shall not be included in the case except at the Court's discretion and on a motion by a party for good cause shown or pursuant to Federal Rule of Civil Procedure 15.

2. The Clerk of the Court is directed to effect service of process upon Defendant pursuant to the Court's standard procedures.

3. This case is now in the process of service. Plaintiff is advised to wait until counsel has appeared for Defendant before filing any motions, in order to give Defendant notice and an opportunity to respond to those motions. Motions filed before Defendant's counsel has filed an appearance will generally be denied as premature. Plaintiff need not submit any evidence to the court at this time unless otherwise directed by the Court.

4. The Court will attempt service on Defendant by mailing a waiver of service to Defendant. Defendant has sixty (60) days from the date that the waiver is sent to file an answer. If Defendant has not filed an answer or appeared through counsel within ninety (90) days of the entry of this Order, Plaintiff may file a motion requesting the status of service. After Defendant has been served, the Court will enter an Order setting discovery and dispositive motion deadlines.

5. With respect to a Defendant who no longer works at the address provided by Plaintiff, the entity for whom that Defendant worked while at that address shall provide to the Clerk said Defendant's current work address, or, if not known, said Defendant's forwarding address. This information shall be used only for effectuating service. Documentation of forwarding addresses shall be retained only by the Clerk and shall not be maintained in the public docket nor disclosed by the Clerk.

6. Defendant shall file an answer within sixty (60) days of the date that the waiver is sent by the Clerk. A motion to dismiss is not an answer. The answer should include all defenses appropriate under the Federal Rules. The answer and subsequent pleadings shall be to the issues and claims stated in this opinion. In general, an answer sets forth the Defendant's positions. The Court does not rule on the merits of those positions unless and until a motion is filed by a Defendant. Therefore, no response to the answer is necessary or will be considered.

7. This District uses electronic filing, which means that, after defense counsel has filed an appearance, defense counsel will automatically receive electronic notice of any motion or other paper filed by Plaintiff with the Clerk. Plaintiff does not need to mail to defense counsel copies of motions and other papers that Plaintiff has filed with the Clerk. However, this does not apply to discovery requests and responses. Discovery requests and responses are not filed with the Clerk. Plaintiff must mail his discovery requests and responses directly to Defendant's counsel. Discovery requests or responses sent to the Clerk will be returned unfiled, unless they are attached to and the subject of a motion to compel. Discovery does not

begin until defense counsel has filed an appearance and the court has entered a Scheduling Order, which will explain the discovery process in more detail.

8. Counsel for Defendant is hereby granted leave to depose

Plaintiff at his place of confinement. Counsel for Defendant shall arrange the time for the deposition.

9. Plaintiff shall immediately notify the court, in writing, of

any change in his mailing address and telephone number. Plaintiff's failure to notify the Court of a change in mailing address or phone number will result in dismissal of this lawsuit, with prejudice.

10. If a Defendant fails to sign and return a waiver of service

to the Clerk within thirty (30) days after the waiver is sent, the Court will take appropriate steps to effect formal service through the U.S. Marshal Service on that Defendant and will require that defendant to pay the full costs of formal service pursuant to Federal Rule of Civil Procedure 4(d)(2), if costs are sought by the Marshal.

11. The Clerk of the Court is directed to enter the standard

qualified protective order pursuant to the Health Insurance Portability and Accountability Act.

Entered this 14th day of April, 2026 s/ Sue E. Myerscough

SUE E. MYERSCOUGH

UNITED STATES DISTRICT JUDGE