

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
DAKOTA, WESTERN DIVISION

**Abdul Waheed Mohammed v. Wade Anderson, Casey Munsch,
Taylor Muhlbeier, Andy Diro, Corey Brubakken, and Kathleen
Houston**

5:26-CV-05006-RAL · No. 5:26-CV-05006-RAL · Decided March 13, 2026

SUMMARY

The United States District Court for the District of South Dakota grants Abdul Waheed Mohammed leave to proceed in forma pauperis and conducts screening under 28 U.S.C. § 1915A. The court allows official-capacity claims concerning religious accommodations to proceed under the First, Eighth, and Fourteenth Amendments and the Religious Land Use and Institutionalized Persons Act, while dismissing the Fourth Amendment excessive-force claim without prejudice. The order also addresses Mohammed’s motion for a temporary restraining order concerning Ramadan meals and religious accommodations.

CASE DETAILS

COURT	United States District Court for the District of South Dakota, Western Division
WRITING FOR THE COURT	Roberto A. Lange
JURISDICTION	United States District Court for the District of South Dakota, Western Division
DECIDED	March 13, 2026
DOCKET	5:26-CV-05006-RAL
DISPOSITION	other
PROCEDURAL POSTURE	Pro se prisoner civil-rights action screened under 28 U.S.C. § 1915A after the plaintiff moved to proceed in forma pauperis and sought a temporary restraining order.
STANDARD OF REVIEW	On § 1915A screening, the court accepted well-pleaded facts as true, liberally construed the pro se complaint, and dismissed claims that were frivolous, malicious, failed to state a claim, or sought monetary relief from an immune defendant. For the TRO, the plaintiff had to clearly show that immediate and irreparable injury would result before the opposing parties could be heard.

PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Abdul Waheed Mohammed v. Wade Anderson, Casey Munsch, Taylor Muhlbeier, Andy Diro, Corey Brubakken, Kathleen Houston

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QUESTIONS PRESENTED

1. Whether Mohammed should be granted leave to proceed in forma pauperis and have the initial partial filing fee waived.
2. Whether the complaint stated plausible official-capacity claims under § 1983 based on an alleged Pennington County Jail policy or custom denying Muslim religious accommodations.
3. Whether the complaint stated First Amendment free-exercise and retaliation claims.
4. Whether the complaint stated an Eighth Amendment conditions-of-confinement claim based on allegedly inadequate nutrition and delayed meals.
5. Whether the complaint stated a Fourteenth Amendment equal-protection claim based on allegedly disparate treatment of Muslim inmates.
6. Whether the complaint stated a claim under RLUIPA.
7. Whether Mohammed was entitled to an immediate temporary restraining order concerning Ramadan meals and religious accommodations.

HOLDINGS

1. Official-capacity claims against the jail employees are functionally claims against Pennington County. Liberally construed, Mohammed's allegations that jail officials used their own tactics to deny religious accommodation requests and punished Muslim inmates were sufficient at the screening stage to support an inference of an unconstitutional policy or custom.
2. Mohammed stated a plausible First Amendment free-exercise claim against the defendants in their official capacities.
3. Mohammed stated a plausible First Amendment retaliation claim against the defendants in their official capacities.
4. Mohammed's Fourth Amendment excessive-force claims were dismissed without prejudice for failure to state a claim.
5. Mohammed stated a plausible Eighth Amendment conditions-of-confinement claim against the defendants in their official capacities.

6. Mohammed stated plausible Fourteenth Amendment equal-protection claims against the defendants in their official capacities.
7. Liberally construed, Mohammed's complaint stated plausible RLUIPA claims against the defendants in their official capacities.
8. The court did not issue an immediate temporary restraining order, but directed the defendants to respond to the TRO motion within fourteen days of service and indicated that it could then consider preliminary injunctive relief.

KEY QUOTATIONS

"A suit against a government officer in his official capacity is functionally equivalent to a suit against the employing governmental entity." (at 10)

"The cumulative effect of prison conditions may subject inmates to cruel and unusual punishment." (at 12)

"A TRO is justified only when a movant 'clearly show[s] that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard[.]'" (at 15)

FACTUAL BACKGROUND

Mohammed, an inmate at the Pennington County Jail, alleged that jail officials denied Muslim religious accommodations, including halal meals, timely fasting meals, religious materials, prayer-related accommodations, a kufi, and cleaning supplies. He alleged that Muslim inmates were offered only a regular meal or a kosher/all-other-religions meal and that his Ramadan meals were nutritionally inadequate and delayed. He claimed weight loss of more than thirty pounds, malnutrition, and physical and psychological injuries, and alleged that officials repeatedly denied his accommodation requests and grievances.

PROCEDURAL HISTORY

Mohammed filed a prisoner civil-rights complaint against Pennington County Jail employees in their official capacities, moved to proceed in forma pauperis, and sought a temporary restraining order concerning religious accommodations during Ramadan. The court granted in forma pauperis status, waived the initial partial filing fee, dismissed the Fourth Amendment excessive-force claims without prejudice, found the First Amendment, Eighth Amendment, Fourteenth Amendment, and RLUIPA claims sufficient to survive screening, directed immediate service, and ordered defendants to respond to the TRO motion within fourteen days of service.

DISPOSITION

other

CASES CITED

- *Henderson v. Norris*, 129 F.3d 481, 483 (8th Cir. 1997) (per curiam)
- *McGore v. Wrigglesworth*, 114 F.3d 601, 604 (6th Cir. 1997)
- *In re Tyler*, 110 F.3d 528, 529-30 (8th Cir. 1997)

- Estate of Rosenberg v. Crandell, 56 F.3d 35, 36 (8th Cir. 1995)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Bediako v. Stein Mart, Inc., 354 F.3d 835, 839 (8th Cir. 2004)
- Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985)
- Ellis v. City of Minneapolis, 518 F. App'x 502, 504 (8th Cir. 2013) (per curiam)
- Davis v. Hall, 992 F.2d 151, 152 (8th Cir. 1993) (per curiam)
- Parker v. Porter, 221 F. App'x 481, 482 (8th Cir. 2007) (per curiam)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Beavers v. Lockhart, 755 F.2d 657, 663 (8th Cir. 1985)
- Abdullah v. Minnesota, 261 F. App'x 926, 927 (8th Cir. 2008) (per curiam)
- Veatch v. Bartels Lutheran Home, 627 F.3d 1254, 1257 (8th Cir. 2010)
- Monell v. Department of Social Services, 436 U.S. 658, 694 (1978)
- Clay v. Conlee, 815 F.2d 1164, 1170 (8th Cir. 1987)
- Brewington v. Keener, 902 F.3d 796, 801 (8th Cir. 2018)
- Corwin v. City of Independence, 829 F.3d 695, 700 (8th Cir. 2016)
- Crumpley-Patterson v. Trinity Lutheran Hospital, 388 F.3d 588, 591 (8th Cir. 2004)
- Doe ex rel. Doe v. School District, 340 F.3d 605, 614 (8th Cir. 2003)
- Patel v. U.S. Bureau of Prisons, 515 F.3d 807, 813, 815-16 (8th Cir. 2008)
- Murphy v. Missouri Department of Corrections, 372 F.3d 979, 984, 988 (8th Cir. 2004)
- Spencer v. Jackson County, 738 F.3d 907, 911 (8th Cir. 2013)
- Revels v. Vincenz, 382 F.3d 870, 876 (8th Cir. 2004)
- Lewis v. Jacks, 486 F.3d 1025, 1029 (8th Cir. 2007)
- Dixon v. Brown, 38 F.3d 379, 379 (8th Cir. 1994)
- Andrews v. Neer, 253 F.3d 1052, 1060-61 (8th Cir. 2001)
- Westwater v. Church, 60 F.4th 1124, 1128 (8th Cir. 2023)
- Williams v. Delo, 49 F.3d 442, 445 (8th Cir. 1995)
- Hudson v. McMillian, 503 U.S. 1, 9 (1992)
- Helling v. McKinney, 509 U.S. 25, 32 (1993)
- Simmons v. Cook, 154 F.3d 805, 807 (8th Cir. 1998)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Villanueva v. George, 659 F.2d 851, 854 (8th Cir. 1981) (en banc)
- Tyler v. Black, 865 F.2d 181, 183 (8th Cir. 1989) (en banc)
- Wishon v. Gammon, 978 F.2d 446, 449 (8th Cir. 1992)
- Ingrassia v. Schafer, 825 F.3d 891, 898-99 (8th Cir. 2016)
- Davis v. Missouri, 389 F. App'x 579, 579-80 (8th Cir. 2010) (per curiam)
- Day v. Norris, 219 F. App'x 608, 610 (8th Cir. 2007) (per curiam)
- Rust v. Grammer, 858 F.2d 411, 414 (8th Cir. 1988)

- Barnett v. Short, 129 F.4th 534, 539 (8th Cir. 2025)
- Smith v. Allen, 502 F.3d 1255, 1276 (11th Cir. 2007)
- Sossamon v. Texas, 563 U.S. 277, 281 (2011)
- Ward v. U.S. Marshals, No. 5:23-CV-05061-CCT, 2025 WL 949242, at *33 (D.S.D. Mar. 28, 2025)
- Goff v. Harper, 60 F.3d 518, 520 (8th Cir. 1995)
- Hosna v. Goose, 80 F.3d 298, 304 (8th Cir. 1996)
- Klinger v. Department of Corrections, 31 F.3d 727, 733 (8th Cir. 1994)
- Watkins Inc. v. Lewis, 346 F.3d 841, 844 (8th Cir. 2003)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 24 (2008)

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