

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

Naguib Muhammad v. Sergeant Piston, et al.

Muhammad · No. 25-CV-5971 · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of Pennsylvania grants Naguib Muhammad leave to proceed in forma pauperis and screens his 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915(e)(2)(B). The court allows excessive-force and failure-to-intervene claims arising from the July 28, 2025 incident to proceed against several correctional officials, while dismissing other claims with prejudice or without prejudice. The dismissed claims include official-capacity claims, failure-to-investigate claims, grievance-process claims, inadequately pleaded supervisory-liability claims, and undeveloped retaliation claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of Pennsylvania
WRITING FOR THE COURT	Gerald J. Pappert
JURISDICTION	United States District Court for the Eastern District of Pennsylvania
DECIDED	January 15, 2026
DOCKET	25-CV-5971
DISPOSITION	other
PROCEDURAL POSTURE	Pro se incarcerated plaintiff brought constitutional claims under 42 U.S.C. § 1983 and sought damages. The court screened the complaint under 28 U.S.C. § 1915(e)(2)(B), granted leave to proceed in forma pauperis, dismissed some claims with prejudice, dismissed others without prejudice, and permitted service on the surviving excessive-force claims.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B)(ii), the court applies the same standard as a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6): accepting well-pleaded facts as true, drawing reasonable inferences for the plaintiff, and determining whether the complaint states a plausible claim for relief. Pro se allegations are construed liberally, but conclusory allegations are insufficient.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential

PARTIES

Naguib Muhammad v. Sergeant Piston, Officer Harris, Lieutenant Patterson, Unit Manager Grinivich, Superintendent Terra, Deputy Superintendent H. Kertes, Internal Security Captain Dusel, Internal Security Lieutenant C. Hartless, Special Agent Shanice Rapp, Grievance Coordinator Gina Orlando

TOPICS

section 1983 prisoners rights civil rights first amendment motions to dismiss

PRACTICE AREAS

civil rights constitutional law prisoner litigation federal civil procedure remedies

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged Eighth Amendment excessive-force claims against Piston, Harris, and Patterson based on the July 28, 2025 incident.
2. Whether the complaint plausibly alleged an Eighth Amendment failure-to-intervene claim against Grinivich.
3. Whether the complaint stated a plausible excessive-force claim based on Piston's alleged July 26, 2025 shove during a cell search.
4. Whether the complaint plausibly alleged supervisory liability against Terra, Kertes, and Dusel.
5. Whether officials' alleged failure to investigate or discipline prison personnel stated a constitutional claim.
6. Whether interference with or destruction of prison grievance paperwork stated an independent constitutional claim.
7. Whether the complaint plausibly alleged First Amendment retaliation based on placement in the POC unit.
8. Whether official-capacity damages claims against Pennsylvania Department of Corrections employees were barred.

HOLDINGS

1. The complaint plausibly alleged Eighth Amendment excessive-force claims against Piston, Harris, and Patterson because it alleged that force was used against a handcuffed prisoner in a manner that could have been malicious and sadistic rather than in a good-faith effort to maintain or restore discipline.
2. The complaint plausibly alleged a § 1983 failure-to-intervene claim against Grinivich.
3. Any excessive-force claim based on Piston's alleged shove during the July 26, 2025 cell search was dismissed without prejudice as insufficiently pleaded.
4. The complaint did not plausibly allege supervisory liability against Terra, Kertes, and Dusel based solely on failure to supervise or their high-ranking positions.

5. Claims against Hartless and Rapp based on failure to investigate or report the alleged assault were dismissed with prejudice.
6. Claims based on alleged destruction or obstruction of Muhammad's grievance paperwork were dismissed with prejudice because prisoners have no independent constitutional right to a prison grievance process.
7. The First Amendment retaliation claims against Terra, Kertes, and Dusel were dismissed without prejudice.
8. Official-capacity damages claims against the prison-official defendants were dismissed with prejudice.

KEY QUOTATIONS

“Force that is used ‘maliciously and sadistically for the very purpose of causing harm’ violates the Eighth Amendment.” (Section III.A)

“The following claims will be dismissed with prejudice: the official capacity claims, any claims based on Defendants’ failure to investigate, and any claims based on Defendants’ interference with the grievance process.” (Section IV)

FACTUAL BACKGROUND

Muhammad alleged that on July 28, 2025, while handcuffed behind his back at SCI Phoenix, Sergeant Piston struck him, gouged his eyes, Officer Harris used an elbow against his face and neck, and Lieutenant Patterson discharged pepper spray. He alleged that Unit Manager Grinivich witnessed the incident and failed to intervene, causing injuries to his shoulder, back, and neck. He also alleged that supervisory and investigative officials failed to investigate, interfered with grievance paperwork, and retaliated against him by placing him in a unit where he was held without clothing, blankets, or a mattress for six days.

PROCEDURAL HISTORY

Muhammad filed a civil-rights complaint concerning alleged assaults and subsequent conduct by Pennsylvania prison officials. The court granted in forma pauperis status and conducted statutory screening before service. It allowed the July 28, 2025 excessive-force and failure-to-intervene claims to proceed, dismissed official-capacity claims, failure-to-investigate claims, and grievance-process claims with prejudice, and dismissed supervisory-liability and retaliation claims without prejudice with leave to amend.

DISPOSITION

other

CASES CITED

- Hudson v. Palmer, 468 U.S. 517, 530 (1984)
- Doe v. Delie, 257 F.3d 309, 316 (3d Cir. 2001)
- Tourscher v. McCullough, 184 F.3d 236, 240 (3d Cir. 1999)

- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Talley v. Wetzel*, 15 F.4th 275, 286 n.7 (3d Cir. 2021)
- *Shorter v. United States*, 12 F.4th 366, 374 (3d Cir. 2021)
- *Fisher v. Hollingsworth*, 115 F.4th 197 (3d Cir. 2024)
- *Vogt v. Wetzel*, 8 F.4th 182, 185 (3d Cir. 2021)
- *Mala v. Crown Bay Marina, Inc.*, 704 F.3d 239, 244-45 (3d Cir. 2013)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Rode v. Dellarciprete*, 845 F.2d 1195, 1207 (3d Cir. 1988)
- *Kentucky v. Graham*, 473 U.S. 159, 165-66 (1985)
- *Monell v. Department of Social Services*, 436 U.S. 658, 690 n.55 (1978)
- *Downey v. Pennsylvania Department of Corrections*, 968 F.3d 299, 309-10 (3d Cir. 2020)
- *Lavia v. Pennsylvania Department of Corrections*, 224 F.3d 190, 195 (3d Cir. 2000)
- *Hudson v. McMillian*, 503 U.S. 1, 7-8 (1992)
- *Young v. Martin*, 801 F.3d 172, 180 (3d Cir. 2015)
- *Whitley v. Albers*, 475 U.S. 312, 320-21 (1986)
- *Jackson v. Bueno*, No. 20-0687, 2020 WL 2847925, at *3 (E.D. Pa. June 2, 2020)
- *Brooks v. Kyler*, 204 F.3d 102, 106 (3d Cir. 2000)
- *Gibson v. Flemming*, 837 F. App'x 860, 862 (3d Cir. 2020)
- *Soto v. Dickey*, 744 F.2d 1260, 1270 (7th Cir. 1984)
- *Passmore v. Ianello*, 528 F. App'x 144, 147 (3d Cir. 2013) (per curiam)
- *Smith v. Mensinger*, 293 F.3d 641, 650-51 (3d Cir. 2002)
- *Barkes v. First Correctional Medical, Inc.*, 766 F.3d 307, 316-17 (3d Cir. 2014)
- *Taylor v. Barkes*, 575 U.S. 822 (2015)
- *A.M. ex rel. J.M.K. v. Luzerne County Juvenile Detention Center*, 372 F.3d 572, 586 (3d Cir. 2004)
- *Benton v. Murtha*, No. 3:21-1136, 2022 WL 1570476, at *3 (M.D. Pa. May 18, 2022)
- *Saisi v. Murray*, 822 F. App'x 47, 48 (3d Cir. 2020) (per curiam)
- *Zigler v. Warren*, No. 21-19474, 2022 WL 903383, at *2 (D.N.J. Mar. 28, 2022)
- *Mitchell v. McNeil*, 487 F.3d 374, 378 (6th Cir. 2007)
- *Graw v. Fantasky*, 68 F. App'x 378, 383 (3d Cir. 2003)
- *Ricker v. Weston*, 27 F. App'x 113, 119-20 (3d Cir. 2002)
- *Gerholt v. Wetzel*, 858 F. App'x 32, 34 (3d Cir. 2021) (per curiam)
- *Burnside v. Moser*, 138 F. App'x 414, 416 (3d Cir. 2005) (per curiam)
- *Heleva v. Kramer*, 214 F. App'x 244, 247 (3d Cir. 2007)
- *Massey v. Helman*, 259 F.3d 641, 647 (7th Cir. 2001)
- *Davis v. Eberling*, 742 F. App'x 592, 595 (3d Cir. 2018) (per curiam)
- *Zehring v. Sorber*, No. 20-3195, 2020 WL 4059950, at *3, *5 (E.D. Pa. July 18, 2020)
- *Rausser v. Horn*, 241 F.3d 330, 333 (3d Cir. 2001)

- Coit v. Garman, 812 F. App'x 83, 86 (3d Cir. 2020) (per curiam)
- Watson v. Rozum, 834 F.3d 417, 422-23 (3d Cir. 2016)
- Mitchell v. Horn, 318 F.3d 523, 530 (3d Cir. 2003)
- Ruttle v. Brady, No. 22-3000, 2023 WL 5554648, at *2 (3d Cir. Aug. 29, 2023)
- Lauren W. ex rel. Jean W. v. DeFlaminis, 480 F.3d 259, 267 (3d Cir. 2007)
- Lawal v. McDonald, 546 F. App'x 107, 113 (3d Cir. 2014)
- Oliver v. Roquet, 858 F.3d 180, 195 (3d Cir. 2017)
- Hammonds v. Headman, 645 F. App'x 149, 152 (3d Cir. 2016) (per curiam)

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