

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Matthew Pugh v. Larry Storm, Joseph Merida

Pugh v. Storm · No. 1:25-cv-01890-SEB-MG · Decided June 23, 2026

SUMMARY

The United States District Court for the Southern District of Indiana grants Matthew Pugh leave to amend his complaint and screens the amended pleading under 28 U.S.C. § 1915A. The court allows First Amendment retaliation claims against Lt. Larry Storm and Eighth Amendment conditions-of-confinement claims against Storm and Ofc. Joseph Merida to proceed, while dismissing other claims and denying motions concerning the defendants' answer and a preliminary injunction.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	Sarah Evans Barker
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	June 23, 2026
DOCKET	1:25-cv-01890-SEB-MG
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983; order resolving motions related to the answer, motion to amend, screening of the amended complaint under 28 U.S.C. § 1915A, and motion for preliminary injunction.
STANDARD OF REVIEW	For screening under 28 U.S.C. § 1915A, the court applied the same standard used for a Rule 12(b)(6) motion, accepting well-pleaded factual allegations as true and determining whether the complaint stated a plausible claim for relief. The court also construed the pro se complaint liberally. Motions to strike were evaluated under the rule that a pleading should not be stricken unless it clearly has no possible bearing on the litigation. The preliminary-injunction request was denied because it was not tied to the claims or ultimate relief sought.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

prisoners rights

civil rights

first amendment

cruel and unusual punishment

injunctions

PRACTICE AREAS

prisoner civil rights

constitutional litigation

civil procedure

injunctive relief

QUESTIONS PRESENTED

1. Whether Pugh should be granted leave to amend his complaint.
2. Whether the amended complaint stated a due process claim based on disciplinary sanctions, restrictive housing, or transfer.
3. Whether the amended complaint stated a First Amendment retaliation claim against Storm.
4. Whether the amended complaint stated a First Amendment retaliation claim against Merida.
5. Whether the alleged soiled mattress and denial of cleaning supplies stated Eighth Amendment conditions-of-confinement claims.
6. Whether Pugh's request for discovery-related relief was properly granted as a preliminary injunction.
7. Whether Pugh's motions to file an answer to the defendants' answer and to strike the answer should be granted.

HOLDINGS

1. Leave to amend was properly granted because Pugh moved before the scheduling-order deadline and showed good cause.
2. The amended complaint failed to state a Fourteenth Amendment due process claim based on Pugh's disciplinary sanctions, transfer to restrictive housing, or transfer to another correctional facility because it did not allege an atypical and significant hardship.
3. The amended complaint failed to state a First Amendment retaliation claim against Merida because it did not plausibly allege that Merida knew of Pugh's grievances or that the grievances motivated Merida's conduct.
4. Pugh's First Amendment retaliation claim against Storm could proceed based on allegations that Storm retaliated against him for filing grievances.
5. Pugh's Eighth Amendment conditions-of-confinement claim against Storm could proceed based on the allegation that Storm made him sleep on a soiled mattress for a month.
6. Pugh's Eighth Amendment conditions-of-confinement claim against Merida could proceed based on the allegation that Merida intentionally denied him cleaning products after sewage entered his cell.
7. The motion for preliminary injunction was denied because the requested discovery-related relief was not tied to the specific claims or ultimate relief sought in the action.

KEY QUOTATIONS

“When screening a complaint, the Court must dismiss any portion that is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.” (Section II)

“A preliminary injunction is an extraordinary equitable remedy that is available only when the movant shows clear need.” (Section III)

“The following claims are proceeding in this action: First Amendment retaliation claims against Lt. Storm; (2) Eighth Amendment conditions-of-confinement claims against Lt. Storm and Ofc. Merida. All other claims have been dismissed.” (Section IV)

FACTUAL BACKGROUND

Pugh, an incarcerated person, alleged that Lieutenant Larry Storm altered conduct reports, caused or contributed to the denial of disciplinary appeals, discarded mail and grievances, threatened him because of his complaints, and required him to sleep on a mattress contaminated with fecal waste for approximately one month. Pugh also alleged that Storm failed to address an ant infestation and denied him a blanket. He alleged that Officer Joseph Merida refused to provide cleaning supplies after sewage entered his cell. Pugh attributed the defendants' conduct to retaliation for filing grievances and complaints about prison conditions.

PROCEDURAL HISTORY

Pugh filed the action on September 18, 2025. The court's original screening order allowed First Amendment retaliation and Eighth Amendment conditions-of-confinement claims to proceed against Larry Storm and Joseph Merida. Pugh then moved to file an answer to the defendants' answer, strike the answer, amend his complaint, and obtain a preliminary injunction. The court denied the motions concerning the answer and the preliminary injunction, granted leave to amend, screened the amended complaint, dismissed certain claims, and allowed specified claims to proceed.

DISPOSITION

other

CASES CITED

- Capitol Indem. Corp. v. Tranel Developments, Inc., 144 F.R.D. 346, 347 (N.D. Ill. 1992)
- Schillinger v. Kiley, 954 F.3d 990, 993 (7th Cir. 2020)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Cesal v. Moats, 851 F.3d 714, 720 (7th Cir. 2017)
- Lisby v. Henderson, 74 F.4th 470, 472 (7th Cir. 2023)
- Wilkinson v. Austin, 545 U.S. 209, 222 (2005)
- Sandin v. Conner, 515 U.S. 472, 484 (1995)
- Bridges v. Gilbert, 557 F.3d 541, 546 (7th Cir. 2009)
- Cain v. Lane, 857 F.2d 1139, 1143 n.6 (7th Cir. 1988)
- Santiago v. Anderson, 496 F. App'x 630, 633 (7th Cir. 2012)
- Benson v. Cady, 761 F.2d 335, 342 (7th Cir. 1985)

- *Watkins v. Kasper*, 599 F.3d 791, 794–95 (7th Cir. 2010)
- *Turnell v. Centimark Corp.*, 796 F.3d 656, 661 (7th Cir. 2015)
- *Speech First, Inc. v. Killen*, 968 F.3d 628, 637 (7th Cir. 2020)
- *DeBeers Consol. Mines v. United States*, 325 U.S. 212, 220 (1945)
- *Grupo Mexicano de Desarrollo S.A. v. Alliance Bond Fund*, 527 U.S. 308, 326 (1999)
- *Benisek v. Lamone*, 585 U.S. 155, 161 (2018)
- *Pacific Radiation Oncology, LLC v. Queen's Medical Center*, 810 F.3d 631, 636 (9th Cir. 2015)

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