

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Spencer Knight v. CO McGuire, et al.

Knight · No. 2:24-cv-01216 · Decided March 31, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania adopts a magistrate judge’s Report and Recommendation after the parties filed no objections. The court grants in part and denies in part the defendants’ partial motion to dismiss, dismissing with prejudice various Eighth Amendment, Fourteenth Amendment, conversion, PREA, and retaliation claims while allowing specified First Amendment retaliation claims to proceed. The court reinstates Sergeant O’Donnell and grants Plaintiff leave to file a Third Amended Complaint by April 30, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	W. Scott Hardy
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	March 31, 2026
DOCKET	2:24-cv-01216
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation concerning defendants' partial motion to dismiss. Because no party filed objections, the district court reviewed the recommendation for plain error, adopted it as the opinion of the court, and granted the motion in part and denied it in part.
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for plain error or clear error on the face of the record rather than conducting de novo review.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court memorandum order

TOPICS

- motions to dismiss
- first amendment
- prisoners rights
- civil rights
- appellate procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. What standard of review applies when no party objects to a magistrate judge's Report and Recommendation?
2. Whether the pleaded Eighth Amendment conditions-of-confinement and sexual-harassment claims should be dismissed.
3. Whether the pleaded Fourteenth Amendment due-process claims adequately alleged a protected liberty interest or conscience-shocking conduct.
4. Whether the state-law conversion claim is barred by sovereign immunity.
5. Whether the PREA creates a private right of action.
6. Whether the First Amendment retaliation claims were adequately pleaded against the remaining defendants and whether amendment should be permitted.

HOLDINGS

1. When no timely objections are filed to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for plain error or clear error on the face of the record.
2. The First Amendment retaliation claims could proceed against Defendants O'Donnell, Hollis, Costanza, Muntz, and Weiss, while the claims against Cowen and Kristie were dismissed with prejudice.
3. The Eighth Amendment claim concerning the Department of Corrections' use of Administrative Custody was dismissed with prejudice.
4. The remaining Eighth Amendment claim against Defendant McGuire was dismissed because allegations of sexual harassment without physical or sexual contact do not implicate the Eighth Amendment.
5. The allegations that Plaintiff endured 30 days of cell restriction and lost his employment did not establish a protected liberty interest or conscience-shocking conduct sufficient to state a Fourteenth Amendment claim.
6. The state-law conversion claim against Defendant Weiss was dismissed with prejudice because it was barred by sovereign immunity.
7. The Prison Rape Elimination Act does not create a private right of action, so Plaintiff's PREA claim was dismissed.

KEY QUOTATIONS

“while inappropriate and unprofessional, allegations of sexual harassment that do not involve any physical or sexual contact between the plaintiff and defendant fail to implicate the Eighth Amendment.” (Docket No. 47 at 20)

“mere threats to take a certain action” (Docket No. 47 at 10)

FACTUAL BACKGROUND

Plaintiff Spencer Knight alleged that prison officials retaliated against him, imposed adverse housing and disciplinary consequences, and violated his constitutional rights through conditions of confinement and restrictions affecting his employment and housing. He also asserted state-law conversion and PREA claims. The court concluded that some alleged retaliatory conduct involved more than mere threats, while other alleged conduct did not establish a constitutional violation or legally cognizable claim.

PROCEDURAL HISTORY

Magistrate Judge Kezia O. L. Taylor issued a Report and Recommendation on November 5, 2025, recommending partial dismissal of the claims. Plaintiff and defendants filed no objections. The district court found no plain error, adopted the Report and Recommendation, dismissed specified claims and defendants with prejudice, preserved certain First Amendment retaliation claims, reinstated Sergeant O'Donnell, and granted leave to file a Third Amended Complaint.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The court permitted Plaintiff to file a Third Amended Complaint by April 30, 2026 asserting the remaining First Amendment retaliation claims against O'Donnell, Hollis, Costanza, Muntz, and Weiss, and ordered Sergeant O'Donnell reinstated on the docket.

CASES CITED

- *Brightwell v. Lehman*, 637 F.3d 187, 193 (3d Cir. 2011)
- *Nara v. Frank*, 488 F.3d 187, 194 (3d Cir. 2007)
- *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196, 206 (9th Cir. 1974), cert. denied, 419 U.S. 879 (1974)