

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Jeremy Jones v. John Doe 1

Jones · No. 3:25-cv-00733-SPM · Decided May 19, 2026

SUMMARY

The United States District Court for the Southern District of Illinois dismissed Jeremy Jones’s First Amended Complaint under 28 U.S.C. § 1915A. The court held that allegations that a correctional officer failed to conduct required rounds and was likely asleep did not plausibly establish deliberate indifference to a substantial risk of serious harm under the Eighth Amendment. The dismissal was with prejudice, without leave to amend, and counted as a strike under 28 U.S.C. § 1915(g).

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Stephen P. McGlynn
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	May 19, 2026
DOCKET	3:25-cv-00733-SPM
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court conducted preliminary screening of Plaintiff's First Amended Complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss any portion of a prisoner's complaint that is frivolous, malicious, fails to state a claim, or seeks damages from an immune defendant. For failure to state a claim, the court assessed whether the First Amended Complaint plausibly alleged an objectively substantial risk of serious harm and the defendant's subjective deliberate indifference to that risk.
PRECEDENTIAL VALUE	Unknown; district court memorandum and order with no stated precedential status.

TOPICS

- prisoners rights
- section 1983
- cruel and unusual punishment
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the First Amended Complaint plausibly alleged that Jones was incarcerated under conditions posing a substantial risk of serious harm.
2. Whether the First Amended Complaint plausibly alleged that Correctional Officer John Doe had actual knowledge of a substantial risk that Jones would be attacked and acted with deliberate indifference.
3. Whether further leave to amend would be futile after Jones's second attempt to state an Eighth Amendment failure-to-protect claim.

HOLDINGS

1. The First Amended Complaint failed to state a claim because it did not plausibly allege that John Doe knew of a strong likelihood that Jones would be attacked by his cellmate or another person.
2. Further amendment was denied because Jones had already unsuccessfully attempted to state the claim twice and any further amendment would be futile.

KEY QUOTATIONS

“A substantial risk of serious harm is one in which the risk is so great that it is almost certain to materialize if nothing is done.” (Discussion)

“Thus, by disregarding IDOC policy and failing asleep on his shift, John Doe’s conduct, at most, could be characterized as gross negligence, but not deliberate indifference.” (Discussion)

“For the reasons stated above, the First Amended Complaint and this entire action are DISMISSED with prejudice for failure to state a claim upon which relief may be granted.” (Disposition)

FACTUAL BACKGROUND

Jones, an inmate at Centralia Correctional Center, alleged that his cellmate attacked him around 3:00 a.m. on December 19, 2024, while he was housed in a cell without a safety push button. He repeatedly yelled for Correctional Officer John Doe, who allegedly was required to walk through the housing wing every thirty minutes, but no officer responded. Jones was later found with a collapsed lung and two broken ribs and alleged that he waited for hours before receiving medical attention. He alleged that Doe was probably asleep, that early morning hours were particularly dangerous, and that Doe's training and IDOC policy supplied knowledge of the risk.

PROCEDURAL HISTORY

Jeremy Jones, an incarcerated person, filed a § 1983 action against Correctional Officer John Doe based on an alleged failure to protect him from a cellmate attack. After the court dismissed the original complaint for failing to allege that John Doe had prior knowledge of an impending threat, Jones filed a First Amended Complaint. The court concluded that the amended pleading still failed to state an Eighth Amendment failure-to-protect claim,

dismissed the action with prejudice and without leave to amend, denied pending motions as moot, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Wilson v. Ryker, 451 F. App'x 588, 589 (7th Cir. 2011)
- Tackett v. Dauss, 132 F.4th 1026, 1030 (7th Cir. 2025)
- Pinkston v. Madry, 440 F.3d 879, 889 (7th Cir. 2006)
- Always Towing & Recovery Inc. v. City of Milwaukee, Always Towing & Recovery, Inc. v. City of Milwaukee, 2 F.4th 695, 707 (7th Cir. 2021)
- Bogie v. Rosenberg, 705 F.3d 603, 608 (7th Cir. 2013)
- Garcia v. City of Chicago, 24 F.3d 966, 970 (7th Cir. 1994)
- Lucien v. Jockisch, 133 F.3d 464, 467 (7th Cir. 1998)
- Ammons v. Gerlinger, 547 F.3d 724, 725–26 (7th Cir. 2008)
- Sloan v. Lesza, 181 F.3d 857, 858–59 (7th Cir. 1999)