

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Lminggio v. English

Lminggio · No. 3:24-cv-00574 · Decided March 9, 2026

SUMMARY

The court screened a prisoner’s second amended complaint under 28 U.S.C. § 1915A concerning allegedly unsanitary holding-cell conditions, denial of bathroom access, and related due process and Eighth Amendment claims. The court concluded that the short duration of the confinement, the alleged mitigation, and the lack of allegations connecting most defendants to the conduct failed to state a constitutional claim. The case was dismissed for failure to state a claim upon which relief could be granted.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Damon R. Leichty
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	March 9, 2026
DOCKET	3:24-cv-00574
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening of a prisoner's second amended complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner's complaint that is frivolous, malicious, fails to state a claim, or seeks relief from an immune defendant. The pleading must contain sufficient factual matter to state a plausible claim, and pro se allegations receive liberal construction.
PRECEDENTIAL VALUE	Unpublished district court opinion; persuasive rather than precedential except as otherwise provided by applicable law.
PARTIES	Micah Terrall Deanthony Lminggio v. Brian English, D. McKibbin, Michael Gapski, K. Williams, Issac, Witaker

TOPICS

prisoners rights

section 1983

due process

civil procedure

damages

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the complaint stated a Fourteenth Amendment due process claim based on the plaintiff's approximately eight-and-a-half-hour placement in a shower cage without a hearing.
2. Whether the alleged unsanitary holding-cell conditions and temporary denial of toilet access stated an Eighth Amendment conditions-of-confinement claim.
3. Whether supervisory or grievance-related defendants could be held liable absent allegations that they personally caused or participated in the alleged constitutional violations.
4. Whether the complaint stated a claim based on the plaintiff's later cell conditions, including cold temperature, lighting, and loss of property.

HOLDINGS

1. A defendant cannot be held liable under § 1983 based solely on supervisory responsibility, inclusion in the caption, or failure to allege personal participation in the constitutional violation.
2. An approximately eight-and-a-half-hour placement in a shower cage, even under the alleged unsanitary conditions, did not constitute a substantial duration or an unusually harsh hardship sufficient to trigger a protected liberty interest and procedural due process protections.
3. The allegations that the plaintiff was temporarily held for approximately eight-and-a-half hours in an unsanitary shower cage without a toilet or seat, and was required to defecate on a tray, did not state an Eighth Amendment violation because the short duration and removal from the conditions sufficiently mitigated the alleged deprivation.
4. A one-time, short-term denial of toilet access requiring an inmate to defecate on a tray does not, without more, rise to the level of an Eighth Amendment violation.
5. The second amended complaint failed to state a claim upon which relief could be granted and was subject to dismissal under 28 U.S.C. § 1915A.

KEY QUOTATIONS

“state a claim that is plausible on its face.” (550 U.S. at 570)

“It’s undisputed that prisoners can’t be held in “shockingly unsanitary cells.”” (592 U.S. at 7-8)

“A prisoner challenging conditions of confinement must first show that the conditions were sufficiently serious as an objective matter, meaning that they denied the inmate the minimal civilized measure of life’s necessities, creating an excessive risk to the inmate’s health and safety. Second, in covering the subjective component of the inquiry, the inmate must prove that prison officials acted with deliberate indifference—that they knew of and disregarded this excessive risk of harm to the inmate.”

FACTUAL BACKGROUND

Lminggio alleged that he was confined in a shower cage at the Miami Correctional Facility for approximately eight-and-a-half hours in unsanitary conditions, without a toilet or seat, and that he was required to defecate on a Styrofoam tray after staff refused bathroom access. He alleged that he slipped on feces, experienced a back and foot injury, and later was placed in a cell that was cold, brightly lit, and lacking certain property. The complaint did not allege personal involvement by most defendants or provide sufficient facts concerning medical treatment, the cell conditions, or the duration and severity of those conditions.

PROCEDURAL HISTORY

Lminggio, an incarcerated plaintiff proceeding without counsel, filed a second amended complaint after the court determined that his prior amended complaint failed to state a claim. The court screened the second amended complaint, concluded that it failed to state viable due process or Eighth Amendment claims and failed to allege personal involvement by several defendants, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Edwards v. Snyder, 478 F.3d 827, 830 (7th Cir. 2007)
- McCready v. Ebay, Inc., 453 F.3d 882, 888 (7th Cir. 2006)
- Aguilar v. Gaston-Camara, 861 F.3d 626, 633 (7th Cir. 2017)
- Burks v. Raemisch, 555 F.3d 592, 594, 596 (7th Cir. 2009)
- Moderson v. City of Neenah, 137 F.4th 611, 617 (7th Cir. 2025)
- Grieveson v. Anderson, 538 F.3d 763, 770 (7th Cir. 2008)
- Scott v. Edinburg, 346 F.3d 752, 760 (7th Cir. 2003)
- Conner v. Hoem, 768 F. App'x 560, 564 (7th Cir. 2019)
- Sandin v. Conner, 515 U.S. 472, 484 (1995)
- Jackson v. Anastasio, 150 F.4th 851, 858-61 (7th Cir. 2025)
- Marion v. Columbia Correctional Institution, 559 F.3d 693, 697-98 (7th Cir. 2009)
- Townsend v. Fuchs, 522 F.3d 765, 771-73 (7th Cir. 2008)
- Lekas v. Briley, 405 F.3d 602, 608-09, 612 (7th Cir. 2005)
- Isby v. Brown, 856 F.3d 508, 524, 527 (7th Cir. 2017)
- Wilkinson v. Austin, 545 U.S. 209, 224 (2005)
- Rhodes v. Chapman, 452 U.S. 337, 349 (1981)

- Knight v. Wiseman, 590 F.3d 458, 463 (7th Cir. 2009)
- Gillis v. Litscher, 468 F.3d 488, 493 (7th Cir. 2006)
- Thomas v. Blackard, 2 F.4th 716, 719-20 (7th Cir. 2021)
- Pyles v. Fahim, 771 F.3d 403, 409 (7th Cir. 2014)
- Johnson v. Prentice, 29 F.4th 895, 904 (7th Cir. 2022)
- Wilson v. Seiter, 501 U.S. 294, 304 (1991)
- Stockton v. Milwaukee County, 44 F.4th 605, 615 (7th Cir. 2022)
- Donald v. Wexford Health Sources, Inc., 982 F.3d 451, 458 (7th Cir. 2020)
- Rasho v. Jeffreys, 22 F.4th 703, 710 (7th Cir. 2022)
- Taylor v. Riojas, 592 U.S. 7, 7-10 (2020)
- Vinning-El v. Long, 482 F.3d 923, 924 (7th Cir. 2007)
- Gills v. Hamilton, 164 F.4th 640, 643, 645-46 (7th Cir. 2026)
- Dixon v. Godinez, 114 F.3d 640, 643 (7th Cir. 1997)
- Stephens v. Cottey, 145 F. App'x 179, 181 (7th Cir. 2005)
- Swanson v. Citibank, N.A., 614 F.3d 400, 403 (7th Cir. 2010)
- Vasquez v. Frank, 290 F. App'x 927, 929 (7th Cir. 2008)
- White v. Knight, 710 F. App'x 260, 261-62 (7th Cir. 2018)
- Cunningham v. Eyman, 17 F. App'x 449, 454 (7th Cir. 2001)