

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

David Galeski v. Heidi Washington et al.

Galeski · No. 1:25-cv-1603 · Decided March 24, 2026

SUMMARY

The United States District Court for the Western District of Michigan conducts preliminary screening under the Prison Litigation Reform Act of a state prisoner’s § 1983 and Americans with Disabilities Act claims concerning housing, failure to protect, and accommodations for gender dysphoria. The court dismisses claims against Heidi Washington and Brian Hadden, official-capacity damages claims, individual-capacity ADA claims, and redundant ADA claims, while allowing Eighth Amendment failure-to-protect and official-capacity ADA accommodation claims against Craig Ritter and Unknown Chevette to proceed. The court also denies the plaintiff’s motion for a temporary restraining order and preliminary injunction.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Sally J. Berens
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	March 24, 2026
DOCKET	1:25-cv-1603
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 and Title II of the Americans with Disabilities Act, reviewed before service under the Prison Litigation Reform Act. The court also considered an ex parte motion for a temporary restraining order and preliminary injunction.
STANDARD OF REVIEW	On preliminary PLRA review, the court accepted well-pleaded allegations as true, construed the pro se complaint indulgently, and applied the Rule 8 and Twombly/Iqbal plausibility standard. For preliminary injunctive relief, the court considered likelihood of success, irreparable injury, harm to others, and the public interest, with particular caution in the prison context.

PRECEDENTIAL VALUE	unpublished district-court opinion
PARTIES	David Galeski v. Heidi Washington, Brian Hadden, Craig Ritter, Unknown Chevette

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QUESTIONS PRESENTED

1. Whether the complaint stated an Eighth Amendment failure-to-protect claim against Ritter and Chevette.
2. Whether the complaint stated individual-capacity claims under Title II of the ADA.
3. Whether official-capacity claims for monetary damages under § 1983 were barred by Eleventh Amendment immunity and the absence of a statutory person.
4. Whether the complaint stated claims against Washington and Hadden based on supervisory liability, grievance handling, policies, or alleged failures to train and supervise.
5. Whether the complaint stated official-capacity ADA failure-to-accommodate claims against Ritter and Chevette.
6. Whether the plaintiff was entitled to a temporary restraining order or preliminary injunction.

HOLDINGS

1. The complaint plausibly stated Eighth Amendment failure-to-protect claims against Ritter and Chevette in their individual capacities and in their official capacities for injunctive and declaratory relief.
2. The plaintiff's official-capacity claims for monetary damages under § 1983 were dismissed because the claims were effectively against the MDOC, which is immune from such suits and is not a person subject to liability for damages under § 1983.
3. The individual-capacity § 1983 claims against Washington and Hadden were dismissed for failure to state a claim.
4. The individual-capacity ADA claims were dismissed because Title II does not impose liability on individual government officials.
5. The plaintiff was allowed to proceed on official-capacity ADA failure-to-accommodate claims against Ritter and Chevette, while the official-capacity ADA claims against Washington and Hadden were dismissed as redundant.
6. The motion for a temporary restraining order and preliminary injunction was denied without prejudice.

KEY QUOTATIONS

“Under the PLRA, the Court is required to dismiss any prisoner action brought under federal law if the complaint is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant immune from such relief.” (PageID.3)

“Deliberate indifference is a higher standard than negligence and requires that “the official knows of and disregards an excessive risk to inmate health or safety; the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference.”” (PageID.15)

“A claimed constitutional violation must be based upon active unconstitutional behavior.” (PageID.15)

“Preliminary injunctions are not favored, and a movant is not necessarily entitled to such relief, even if the movant has shown likelihood of success on the merits.” (PageID.18)

FACTUAL BACKGROUND

Galeski, a Michigan prisoner who identifies as a transgender woman, alleged that the Michigan Department of Corrections diagnosed the plaintiff with gender dysphoria and initially approved hormone treatment and special housing accommodations. The plaintiff alleged that, after accommodations were removed or denied, prison officials placed the plaintiff with inmates who sexually assaulted the plaintiff multiple times, despite alleged knowledge of safety risks and requests for protective housing. The complaint asserted Eighth Amendment failure-to-protect claims and ADA failure-to-accommodate claims concerning housing, privacy, and access to transgender-related services.

PROCEDURAL HISTORY

Galeski filed a pro se complaint against Michigan Department of Corrections officials in their individual and official capacities and sought monetary, injunctive, and declaratory relief. After consenting to magistrate-judge jurisdiction, the plaintiff's claims were screened under 28 U.S.C. §§ 1915(e)(2) and 1915A(b) and 42 U.S.C. § 1997e(c), before service on any defendant. The court dismissed Washington and Hadden, dismissed certain official-capacity damages claims and individual-capacity ADA claims, allowed Eighth Amendment failure-to-protect and official-capacity ADA failure-to-accommodate claims against Ritter and Chevette to proceed, and denied the requested temporary restraining order and preliminary injunction without prejudice.

DISPOSITION

other

CASES CITED

- In re Prison Litig. Reform Act, 105 F.3d 1131, 1131, 1134 (6th Cir. 1997)
- McGore v. Wrigglesworth, 114 F.3d 601, 604-05 (6th Cir. 1997)
- Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347, 350-51 (1999)
- Conway v. Fayette Cnty. Gov't, 212 F. App'x 418 (6th Cir. 2007)
- Neals v. Norwood, 59 F.3d 530, 532 (5th Cir. 1995)

- *Coleman v. Lab. & Indus. Rev. Comm'n of Wis.*, 860 F.3d 461, 471 (7th Cir. 2017)
- *Williams v. King*, 875 F.3d 500, 503-04 (9th Cir. 2017)
- *Burton v. Schamp*, 25 F.4th 198, 207 n.26 (3d Cir. 2022)
- *Haines v. Kerner*, 404 U.S. 519, 520 (1972)
- *Denton v. Hernandez*, 504 U.S. 25, 33 (1992)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 676, 678-79 (2009)
- *Hill v. Lappin*, 630 F.3d 468, 470-71 (6th Cir. 2010)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Street v. Corr. Corp. of Am.*, 102 F.3d 810, 814 (6th Cir. 1996)
- *Albright v. Oliver*, 510 U.S. 266, 271 (1994)
- *Will v. Mich. Dep't of State Police*, 491 U.S. 58, 66, 71 (1989)
- *Matthews v. Jones*, 35 F.3d 1046, 1049 (6th Cir. 1994)
- *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 98-101 (1984)
- *Alabama v. Pugh*, 438 U.S. 781, 782 (1978)
- *O'Hara v. Wigginton*, 24 F.3d 823, 826 (6th Cir. 1994)
- *Quern v. Jordan*, 440 U.S. 332, 341 (1979)
- *Harrison v. Michigan*, 722 F.3d 768, 771 (6th Cir. 2013)
- *Kentucky v. Graham*, 473 U.S. 159, 165, 167 n.14 (1985)
- *Ex parte Young*, 209 U.S. 123, 159-60 (1908)
- *Virginia Off. for Prot. & Advoc. v. Stewart*, 563 U.S. 247, 255 (2011)
- *Ladd v. Marchbanks*, 971 F.3d 574, 581 (6th Cir. 2020)
- *Gilmore v. Corr. Corp. of Am.*, 92 F. App'x 188, 190 (6th Cir. 2004)
- *Frazier v. Michigan*, 41 F. App'x 762, 764 (6th Cir. 2002)
- *Monell v. New York City Dep't of Soc. Servs.*, 436 U.S. 658, 690 n.55, 691 (1978)
- *Everson v. Leis*, 556 F.3d 484, 495 (6th Cir. 2009)
- *Zakora v. Chrisman*, 44 F.4th 452, 475 (6th Cir. 2022)
- *Grinter v. Knight*, 532 F.3d 567, 575-76 (6th Cir. 2008)
- *Greene v. Barber*, 310 F.3d 889, 899 (6th Cir. 2002)
- *Summers v. Leis*, 368 F.3d 881, 888 (6th Cir. 2004)
- *Peatross v. City of Memphis*, 818 F.3d 233, 242 (6th Cir. 2016)
- *Phillips v. Roane Cnty.*, 534 F.3d 531, 543 (6th Cir. 2008)
- *Copeland v. Machulis*, 57 F.3d 476, 481 (6th Cir. 1995)
- *Rizzo v. Goode*, 423 U.S. 362, 375-76 (1976)
- *Bellamy v. Bradley*, 729 F.2d 416, 421 (6th Cir. 1984)
- *Leach v. Shelby Cnty. Sheriff*, 891 F.2d 1241, 1246 (6th Cir. 1989)
- *Farmer v. Brennan*, 511 U.S. 825, 832, 834, 837 (1994)

- *Helling v. McKinney*, 509 U.S. 25, 32 (1993)
- *Bishop v. Hackel*, 636 F.3d 757, 766-67 (6th Cir. 2011)
- *Curry v. Scott*, 249 F.3d 493, 506 (6th Cir. 2001)
- *Pennsylvania Dep't of Corr. v. Yeskey*, 524 U.S. 206, 210-12 (1998)
- *Carten v. Kent State Univ.*, 282 F.3d 391, 396-97 (6th Cir. 2002)
- *Lee v. Michigan Parole Bd.*, 104 F. App'x 490, 493 (6th Cir. 2004)
- *Knox County v. M.Q.*, 62 F.4th 978, 1000 (6th Cir. 2023)
- *Keller v. Chippewa Cnty. Bd. of Comm'rs*, 860 F. App'x 381, 385-86 (6th Cir. 2021)
- *Ability Ctr. of Greater Toledo v. City of Sandusky*, 385 F.3d 901, 908-09 (6th Cir. 2004)
- *Foster v. Michigan*, 573 F. App'x 377, 389 (6th Cir. 2014)
- *Bonnell v. Lorenzo*, 241 F.3d 800, 808 (6th Cir. 2001)
- *Northeast Ohio Coal. v. Blackwell*, 467 F.3d 999, 1009 (6th Cir. 2006)
- *Frisch's Rest., Inc. v. Shoney's, Inc.*, 759 F.2d 1261, 1263 (6th Cir. 1985)
- *Southern Glazer's Distribs. of Ohio, LLC v. Great Lakes Brewing Co.*, 860 F.3d 844, 849 (6th Cir. 2017)
- *National Viatical, Inc. v. Universal Settlements Int'l, Inc.*, 716 F.3d 952, 956 (6th Cir. 2013)
- *D.T. v. Sumner Cnty. Sch.*, 942 F.3d 324, 326-27 (6th Cir. 2019)
- *Friendship Materials, Inc. v. Mich. Brick, Inc.*, 679 F.2d 100, 105 (6th Cir. 1982)
- *Glover v. Johnson*, 855 F.2d 277, 286-87 (6th Cir. 1988)
- *Kendrick v. Bland*, 740 F.2d 432, 438 & n.3 (6th Cir. 1984)
- *Overstreet v. Lexington-Fayette Urban Cnty. Gov't*, 305 F.3d 566, 573 (6th Cir. 2002)
- *Stenberg v. Cheker Oil Co.*, 573 F.2d 921, 925 (6th Cir. 1978)
- *Benisek v. Lamone*, 585 U.S. 155, 158 (2018)
- *NAACP v. Mansfield*, 866 F.2d 162, 167 (6th Cir. 1989)