

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Anthony Keepers v. Charles Dombeck and Dr. Daniel LaVoie

Keepers · No. 23-CV-1199-JPS · Decided November 26, 2025

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants Defendants’ motion for summary judgment in Anthony Keepers’s 42 U.S.C. § 1983 action. Keepers alleged that prison medical personnel were deliberately indifferent to his serious medical needs by failing to obtain a court order or otherwise intervene while he refused insulin, resulting in repeated episodes of diabetic ketoacidosis. The Court dismisses the case with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	J.P. Stadtmueller
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	November 26, 2025
DOCKET	23-CV-1199-JPS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action alleging that prison medical providers were deliberately indifferent to his serious medical needs in violation of the Eighth Amendment. Defendants moved for summary judgment, and the court granted the motion and dismissed the action with prejudice.
STANDARD OF REVIEW	Summary judgment is proper under Federal Rule of Civil Procedure 56 when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court construes facts and reasonable inferences in favor of the nonmovant, without weighing evidence or determining witness credibility.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Anthony Keepers v. Charles Dombeck, Dr. Daniel LaVoie

TOPICS

prisoners rights

summary judgment

section 1983

civil rights

cruel and unusual punishment

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

medical malpractice and health care

civil procedure

QUESTIONS PRESENTED

1. Whether Dombeck was deliberately indifferent under the Eighth Amendment by failing to obtain a court order for forced insulin treatment earlier and by continuing the existing monitoring and treatment plan.
2. Whether LaVoie was deliberately indifferent under the Eighth Amendment based on his limited involvement in advising about a potential court order and responding to elevated blood-sugar readings.
3. Whether Defendants were entitled to summary judgment on the deliberate-indifference claim.
4. Whether the court needed to reach Defendants' qualified-immunity defense after granting summary judgment on the merits.

HOLDINGS

1. Plaintiff's diabetes constituted an objectively serious medical condition because untreated diabetes can cause long-term complications or death.
2. Dombeck was not deliberately indifferent because the undisputed evidence showed that he exercised professional judgment, repeatedly attempted to treat and monitor Plaintiff, consulted other medical providers, educated Plaintiff about the danger of refusing insulin, and ultimately sought court intervention.
3. LaVoie was not deliberately indifferent because his involvement was limited and the record contained no evidence that his responses departed from minimally competent medical judgment.
4. Defendants were entitled to summary judgment because no reasonable jury could find that either Defendant acted with deliberate indifference to Plaintiff's serious medical needs.
5. The court did not reach Defendants' qualified-immunity argument because it granted summary judgment on the merits.

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 56, the “court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“A prison official shows deliberate indifference when he or she “realizes that a substantial risk of serious harm to a prisoner exists, but then disregards that risk.””

“A medical professional is entitled to deference in treatment decisions unless ‘no minimally competent professional would have so responded under those circumstances.’”

“The question is whether Dombeck’s treatment rose to the level of deliberate indifference.”

FACTUAL BACKGROUND

Keepers, an incarcerated person with Type 1 diabetes, repeatedly refused insulin and meals after prison medical staff discontinued his gabapentin for diversion and refused to reinstate it. His refusals resulted in multiple episodes of diabetic ketoacidosis requiring hospitalization, but he intermittently accepted insulin, was repeatedly offered testing and treatment, and received education about the risks. Dombeck, his assigned advanced-care provider, and LaVoie, the medical director who had limited on-call and supervisory involvement, eventually collaborated in obtaining a court order authorizing forced treatment. Keepers alleged that Defendants should have sought the order earlier.

PROCEDURAL HISTORY

The court screened the complaint and permitted an Eighth Amendment deliberate-indifference claim to proceed against Dombeck, LaVoie, and Doe defendants. The Doe defendants were later dismissed without prejudice after Plaintiff failed to identify them. Plaintiff's opposition to Defendants' summary-judgment motion was accepted as timely after the court construed his motion for consideration as a motion for an extension of time. The court granted the extension, granted Defendants' motion for summary judgment, and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Boss v. Castro, 816 F.3d 910, 916 (7th Cir. 2016)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Bridge v. New Holland Logansport, Inc., 815 F.3d 356, 360 (7th Cir. 2016)
- Berry v. Chi. Transit Auth., 618 F.3d 688, 691 (7th Cir. 2010)
- Whiting v. Wexford Health Sources, Inc., 839 F.3d 658, 662 (7th Cir. 2016)
- Duckworth v. Ahmad, 532 F.3d 675, 679 (7th Cir. 2008)
- Perez v. Fenoglio, 792 F.3d 768, 776 (7th Cir. 2015)
- Farmer v. Brennan, 511 U.S. 825, 837 (1994)
- Roe v. Elyea, 631 F.3d 843, 857, 861 (7th Cir. 2011)
- Gayton v. McCoy, 593 F.3d 610, 620 (7th Cir. 2010)
- Edwards v. Snyder, 478 F.3d 827, 831 (7th Cir. 2007)
- Gutierrez v. Peters, 111 F.3d 1364, 1372 (7th Cir. 1997)
- Cooper v. Casey, 97 F.3d 914, 916 (7th Cir. 1996)
- Burton v. Downey, 805 F.3d 776, 785 (7th Cir. 2015)
- Pyles v. Fahim, 771 F.3d 403, 409 (7th Cir. 2014)
- Johnson v. Doughty, 433 F.3d 1001, 1013 (7th Cir. 2006)
- Greeno v. Daley, 414 F.3d 645, 654-55 (7th Cir. 2005)

- Snipes v. DeTella, 95 F.3d 586, 592 (7th Cir. 1996)
- Zaya v. Sood, 836 F.3d 800, 805-806 (7th Cir. 2016)
- Petties v. Carter, 836 F.3d 722, 730-31 (7th Cir. 2016)
- Berry v. Peterman, 604 F.3d 435, 441 (7th Cir. 2010)
- Arnett v. Webster, 658 F.3d 742, 753 (7th Cir. 2011)
- McGowan v. Hulick, 612 F.3d 636, 640 (7th Cir. 2010)
- Williams v. Liefer, 491 F.3d 710, 715 (7th Cir. 2007)
- Miller v. Lemke, 711 F. App'x 354, 355 (7th Cir. 2018)
- Collignon v. Milwaukee County, 163 F.3d 982, 988 (7th Cir. 1998)
- Walker v. Zunker, 30 F. App'x 625, 628 (7th Cir. 2002)
- Stanton v. Liaw, No. 3:20-CV-666-JD-MGG, 2022 WL 1641765, at *4 (N.D. Ind. May 24, 2022)
- Rodriguez v. Briley, 403 F.3d 952, 953 (7th Cir. 2005)