

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Michael Jermaine Jones v. H.S.U. Manager Alana Acker, Registered
Nurse Frosch, John or Jane Doe Nurse That Worked on 7/24/2025,
Department of Corrections, Ms. Walker, Warden K. Garceau, Deputy
Warden Pierzina, Manager Johnson, and Columbia Correctional
Institution

Jones v. Acker · No. 25-cv-960-jdp · Decided May 20, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Michael Jermaine Jones’s prisoner civil-rights complaint alleging that prison medical staff failed to provide adequate treatment for a serious medical condition. The court concluded that the allegations did not show that any defendant consciously disregarded his medical needs, but permitted Jones to file an amended complaint by June 10, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	May 20, 2026
DOCKET	25-cv-960-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights complaint screened under 28 U.S.C. §§ 1915 and 1915A.
STANDARD OF REVIEW	At screening under 28 U.S.C. §§ 1915 and 1915A, the court accepts the allegations as true, construes a pro se complaint generously, and applies a less stringent standard than for formal pleadings drafted by lawyers; legally frivolous or malicious claims, claims failing to state a claim, and claims seeking damages from legally immune defendants must be dismissed.
PRECEDENTIAL VALUE	Nonprecedential district court screening order

PARTIES

Michael Jermaine Jones v. H.S.U. Manager Alana Acker, Registered Nurse Frosch, John or Jane Doe Nurse That Worked on 7/24/2025, Department of Corrections, Ms. Walker, Warden K. Garceau, Deputy Warden Pierzina, Manager Johnson, Columbia Correctional Institution

TOPICS

prisoners rights

civil rights

section 1983

pleadings

health law

PRACTICE AREAS

Prisoner civil rights

Eighth Amendment medical care

Federal civil procedure

QUESTIONS PRESENTED

1. Whether Jones's allegations stated an Eighth Amendment claim that prison officials were deliberately indifferent to a serious medical need.
2. Whether the complaint should be dismissed at screening under 28 U.S.C. §§ 1915 and 1915A.
3. Whether Jones should be allowed to amend his complaint to address the pleading deficiencies.
4. Whether additional allegations concerning medical records, racial discrimination, and a sexual assault belonged in the same lawsuit as the medical-care claims.

HOLDINGS

1. Jones adequately alleged a serious medical need because his symptoms suggested a serious medical problem carrying a risk of significant impairment, even though the court did not accept his unsupported assertion that he had suffered a stroke.
2. The complaint failed to state an Eighth Amendment claim because it did not allege facts showing that any named defendant consciously disregarded Jones's serious medical condition.
3. The complaint was properly dismissed at screening because its allegations did not state a claim for relief against any defendant.
4. Jones was granted leave to file an amended complaint correcting the identified deficiencies by June 10, 2026.

KEY QUOTATIONS

“A defendant “consciously disregards” an inmate’s need when the defendant knows of and disregards “an excessive risk to an inmate’s health or safety; the official must both be aware of the facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference.””

FACTUAL BACKGROUND

Jones alleged that during June and July 2025 he experienced numbness, tingling, and pain in his right shoulder and both arms and hands, followed by a permanently twisted mouth and deterioration of his speech. He believed he had suffered a stroke and alleged that prison medical staff failed to obtain medical attention for him for more than a week. He identified Officer Ash as having directed him to submit a health-service request rather than receive immediate emergency care and alleged that Health Services Manager Alana Acker referred him to an advanced-care provider, but he did not allege facts showing that either defendant knew he faced a serious medical emergency.

PROCEDURAL HISTORY

Jones, proceeding without counsel, filed a prisoner civil-rights complaint alleging that prison medical staff failed to provide timely care for symptoms he believed reflected a stroke. After Jones made the required initial partial filing-fee payment, the district court screened the complaint, dismissed it for failure to state a claim, and granted Jones until June 10, 2026, to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- Arnett v. Webster, 658 F.3d 742, 751 (7th Cir. 2011)
- Estelle v. Gamble, 429 U.S. 97, 103–04 (1976)
- Johnson v. Snyder, 444 F.3d 579, 584–85 (7th Cir. 2006)
- Gutierrez v. Peters, 111 F.3d 1364, 1371–73 (7th Cir. 1997)
- Farmer v. Brennan, 511 U.S. 825, 847 (1994)
- Snipes v. Detella, 95 F.3d 586, 590 (7th Cir. 1996)
- Berry v. Peterman, 604 F.3d 435, 440 (7th Cir. 2010)
- Paul v. Marberry, 658 F.3d 702, 705 (7th Cir. 2011)