

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Terry Donald Rutledge, a/k/a Tori Elise Rutledge v. Centurion
Health, et al.

Rutledge · No. 3:25-CV-546-GSL-JEM · Decided April 9, 2026

SUMMARY

The court grants in part and denies in part the state defendants’ motion for summary judgment in Terry Donald Rutledge a/k/a Tori Elise Rutledge’s prisoner civil-rights action. It dismisses claims against several Indiana Department of Correction officials for failure to exhaust the Classification Appeals Process, while allowing official-capacity injunctive-relief claims against the commissioner and warden, along with claims against the remaining medical defendants, to proceed.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Gretchen S. Lund
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	April 9, 2026
DOCKET	3:25-CV-546-GSL-JEM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a prisoner proceeding without counsel, brought claims under the Eighth Amendment against state correctional officials and medical defendants. The state defendants moved for summary judgment on the affirmative defense that Plaintiff failed to exhaust available administrative remedies before filing suit.
STANDARD OF REVIEW	Summary judgment is proper 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 nonmoving party. On an exhaustion defense, the defendants bear the burden of proving failure to exhaust available administrative remedies.
PRECEDENTIAL VALUE	Unknown

TOPICS

summary judgment

prisoners rights

civil procedure

cruel and unusual punishment

injunctions

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the state defendants were entitled to summary judgment on Plaintiff's Eighth Amendment claims challenging the May 2024 transfer because Plaintiff failed to exhaust the available Classification Appeals Process.
2. Whether summary judgment was premature as to the Commissioner and warden sued in their official capacities for prospective injunctive relief concerning mental-health treatment and transfer from segregated housing.

HOLDINGS

1. The state defendants proved that an available Classification Appeals Process governed challenges to the transfer and that Plaintiff did not submit the required appeal by the deadline; therefore, summary judgment was warranted on the claims against Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, and Director Hendrix.
2. Summary judgment was denied as to Commissioner Arnold and the warden because granting judgment on the official-capacity claims for injunctive relief would be premature while the related claims against the medical defendants remained pending.
3. The court could treat the properly supported factual assertions in the state defendants' summary-judgment motion as undisputed because Plaintiff failed to respond in accordance with Rule 56 and the applicable local rule.

KEY QUOTATIONS

“[A] suit filed by a prisoner before administrative remedies have been exhausted must be dismissed; the district court lacks discretion to resolve the claim on the merits, even if the prisoner exhausts intra-prison remedies before judgment.” (Opinion and Order, exhaustion discussion)

“Failure to exhaust is an affirmative defense that a defendant has the burden of proving.” (Opinion and Order, exhaustion discussion)

“The law takes a “strict compliance approach to exhaustion.” (Opinion and Order, exhaustion discussion)

“To exhaust remedies, “a prisoner must file complaints and appeals in the place, and at the time, the prison’s administrative rules require.” (Opinion and Order, exhaustion discussion)

FACTUAL BACKGROUND

Plaintiff was transferred to the Westville Control Unit on May 7, 2024, despite alleged mental-health problems. The facility maintained a Classification Appeals Process for challenging classification decisions, including facility transfers and housing assignments, and required a written appeal within ten business days of the decision. Plaintiff submitted no Classification Appeal concerning the transfer by the May 21, 2024 deadline. Plaintiff also pursued claims concerning allegedly inadequate mental-health care, with those claims against medical defendants remaining pending.

PROCEDURAL HISTORY

The state defendants moved for summary judgment and provided the required local-rule notice. Plaintiff did not respond within the applicable deadline, so the court treated the properly supported factual assertions as undisputed. The court granted summary judgment and dismissed four officials sued in their personal capacities for damages based on Plaintiff's failure to use the available Classification Appeals Process, but denied summary judgment as to the Commissioner and warden sued in their official capacities for injunctive relief because related medical-care claims remained pending.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Heft v. Moore, 351 F.3d 278, 282 (7th Cir. 2003)
- Goodman v. Nat'l Sec. Agency, Inc., 621 F.3d 651, 654 (7th Cir. 2010)
- Perez v. Wisconsin Dep't of Corr., 182 F.3d 532, 535 (7th Cir. 1999)
- King v. McCarty, 781 F.3d 889, 893 (7th Cir. 2015)
- Lockett v. Bonson, 937 F.3d 1016, 1025 (7th Cir. 2019)

OPINION

Rutledge
PER CURIAM.
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION
TERRY DONALD RUTLEDGE, a/k/a
TORI ELISE RUTLEDGE,
Plaintiff,
v. CAUSE NO. 3:25-CV-546-GSL-JEM
CENTURION HEALTH, et al., Defendants.
OPINION AND ORDER

Terry Donald Rutledge a/k/a Tori Elise Rutledge, a prisoner without a lawyer, is proceeding in this

case on five claims. As relevant here, Plaintiff is proceeding:

(1) “against IDOC Executive Director of Mental Health Deanna Dwenger, former IDOC Commissioner Christina Reagle, IDOC Deputy Commissioner Bill Wilson, and Executive Director of Classifications Jack Hendrix in their personal capacity for money damages for approving the plaintiff’s transfer to the Westville Control Unit in May 2024 despite her mental health problems in violation of the Eighth Amendment;” (2) against Commissioner of Indiana Department of Correction Lloyd Arnold “in his official capacity for injunctive relief related to the plaintiff’s need to be transferred out of Westville Control Unit for mental health reasons as required by the Eighth Amendment;” and (3) “against the Warden of Westville Correctional Facility in his official capacity for permanent injunctive relief to receive constitutionally adequate mental health treatment consistent with the Eighth Amendment[.]” ECF 16 at 8-9.1 On December 8, 2025, Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, Director Hendrix, Commissioner Arnold, and the warden (the “state defendants”) filed a joint motion for summary judgment, arguing Plaintiff did not exhaust all available administrative remedies before filing this lawsuit. ECF 41.2 With the motion, the state defendants provided Plaintiff the notice required by N.D. Ind. L.R. 56-1(a)(4). ECF 44. Attached to the notice was a copy of Federal Rule of Civil Procedure 56 and Northern District of Indiana Local Rule 56-1. Pursuant to Local Rule 56-1(b), a party opposing a summary judgment motion must, within 28 days after the movant serves the motion, separately file (1) a response brief; and (2) a Response to Statement of Material Facts, which includes a citation to evidence supporting each dispute of fact. This deadline passed over three months ago, but Plaintiff has not filed any response. Therefore, the court will now rule on the state defendants’ summary judgment motion. 1 Plaintiff is also proceeding on two claims against various medical defendants, alleging they denied Plaintiff constitutionally adequate medical care in the Westville Control Unit. The medical defendants have not moved for summary judgment and have withdrawn their exhaustion defense. 2 Plaintiff is proceeding against Commissioner Arnold and the warden in their official capacities for injunctive relief only. These parties were added to this case by the court in order to provide relief in the event Plaintiff prevails on the claim that Plaintiff was denied constitutionally adequate mental health care by the medical defendants and needs additional care and/or to be transferred out of segregated housing for mental health reasons. See ECF 9 at 7; ECF 16 at 8. The medical defendants have not moved for summary judgment on exhaustion grounds and have instead withdrawn their exhaustion defense. Granting summary judgment for these officials sued only in their official capacity for injunctive relief would be premature, given that the claims against the medical defendants remain pending. The state defendants’ motion for summary judgment will be denied to the extent they seek summary judgment in favor of Commissioner Arnold and the warden. Summary judgment must be granted when “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Federal Rule of Civil Procedure 56(a). A genuine issue of material fact exists when “the evidence is such that a reasonable [factfinder] could [find] for the nonmoving party.”

Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986). To determine whether a genuine issue of material fact exists, the court must construe all facts in the light most favorable to the non-moving party and draw all reasonable inferences in that party's favor. *Heft v. Moore*, 351 F.3d 278, 282 (7th Cir. 2003). A party opposing a properly supported summary judgment motion may not rely merely on allegations or denials in its own pleading but must "marshal and present the court with the evidence she contends will prove her case." *Goodman v. Nat'l Sec. Agency, Inc.*, 621 F.3d 651, 654 (7th Cir. 2010). Prisoners are prohibited from bringing an action in federal court with respect to prison conditions "until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). "[A] suit filed by a prisoner before administrative remedies have been exhausted must be dismissed; the district court lacks discretion to resolve the claim on the merits, even if the prisoner exhausts intra-prison remedies before judgment." *Perez v. Wisconsin Dep't of Corr.*, 182 F.3d 532, 535 (7th Cir. 1999). "Failure to exhaust is an affirmative defense that a defendant has the burden of proving." *King v. McCarty*, 781 F.3d 889, 893 (7th Cir. 2015). The law takes a "strict compliance approach to exhaustion." *Lockett v. Bonson*, 937 F.3d 1016, 1025 (7th Cir. 2019). To exhaust remedies, "a prisoner must file complaints and appeals in the place, and at the time, the prison's administrative rules require." *Id.* Plaintiff is proceeding against Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, and Director Hendrix for approving Plaintiff's transfer to the Westville Control Unit in May 2024 despite Plaintiff's mental health problems. WCF's Supervisor of Classification attests that WCF has a Classification Appeals Process that was available to Plaintiff at all times. ECF 41-8 at 2. Classification decisions, including facility transfers and housing assignments, are not "grievable" through the Offender Grievance Process and must be appealed through the Classification Appeals Process. *Id.* The Classification Appeals Process allowed Plaintiff to appeal an inter-facility Classification decision by submitting a written "Classification Appeal" form within ten business days from the date Plaintiff received the relevant Classification decision. *Id.* at 2-3. Once Plaintiff submitted the requisite Classification Appeal form and received a response, Plaintiff would have exhausted all available remedies under the Classification Appeals process. *Id.* at 3. Plaintiff was transferred to the Westville Control Unit on May 7, 2024, meaning Plaintiff needed to submit a Classification Appeal form to challenge that transfer on or before May 21, 2024. *Id.* at 4. However, Plaintiff's Classification documents show Plaintiff never submitted any Classification Appeal form related to this transfer. *Id.* Therefore, Plaintiff did not exhaust the available Classification Appeals process before filing this lawsuit. *Id.* Because Plaintiff did not respond to the state defendants' summary judgment motion, the court accepts these facts as undisputed. See Fed. R. Civ. P. 56(e) ("If a party . . . fails to properly address another party's assertion of fact as required by Rule 56(c), the court may . . . consider the fact undisputed for purposes of the motion . . ."). Here, the state defendants have provided undisputed evidence the Classification Appeals process was available to Plaintiff but Plaintiff did not exhaust that process before filing this lawsuit. Therefore, the state defendants have met their burden to show Plaintiff did not exhaust all available remedies before filing this

lawsuit with regard to Plaintiff's claim against Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, and Director Hendrix. Summary judgment is thus warranted in favor of these parties. For these reasons, the court:

(1) GRANTS the state defendants' motion for summary judgment (ECF 41) with regard to Plaintiff's claims against Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, and Director Hendrix;

(2) DENIES the state defendants' motion for summary judgment (ECF 41) with regard to Plaintiff's claims against Commissioner Arnold and the warden;

(3) DISMISSES Director Dwenger, Commissioner Reagle, Deputy Commissioner Wilson, and Director Hendrix from this case; and

(4) REMINDS the parties this case is now proceeding only on Plaintiff's remaining claims: a. against Tori Halcarz, Ms. Rodriguez, Dr. Monica Wala, and Regional Medical Director Nancy Stephanie in their personal capacity for money damages for deliberate indifference to Plaintiff's mental health needs from May 2024 to the present in violation of the Eighth Amendment; b. against Centurion Health of Indiana for maintaining an unlawful policy of recommending the continued detention of mentally ill inmates in the Westville Control Unit even after they have attempted suicide or otherwise show harmful deterioration in their mental health in violation of the Eighth Amendment; c. against Commissioner of Indiana Department of Correction Lloyd Arnold in his official capacity for injunctive relief related to the Plaintiff's need to be transferred out of Westville Control Unit for mental health reasons as required by the Eighth Amendment; and d. against the Warden of Westville Correctional Facility in his official capacity for permanent injunctive relief to receive constitutionally adequate mental health treatment consistent with the Eighth Amendment. SO ORDERED on April 9, 2026 /s/Gretchen S. Lund

JUDGE

UNITED STATES DISTRICT COURT