

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Rast v. Sass

Rast · No. 25-cv-1191-bhl · Decided November 26, 2025

SUMMARY

The United States District Court for the Eastern District of Wisconsin dismissed Steven Rast’s 42 U.S.C. § 1983 action against Sgt. Sass after Rast failed to amend allegations that the officer accidentally administered the wrong medication on one occasion. The court held that the allegations did not state an Eighth Amendment claim and that it lacked jurisdiction over any state-law negligence claim, while advising Rast that he could pursue negligence in state court.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	November 26, 2025
DOCKET	25-cv-1191-bhl
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 dismissed at the screening stage after the plaintiff failed to amend his complaint to cure identified deficiencies.
STANDARD OF REVIEW	Screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1); dismissal for failure to state a federal claim and lack of jurisdiction over the state-law claim.
PRECEDENTIAL VALUE	unpublished

TOPICS

- prisoners rights
- section 1983
- cruel and unusual punishment
- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

- prisoner civil rights
- constitutional law
- civil procedure
- negligence
- federal jurisdiction

QUESTIONS PRESENTED

1. Whether a single accidental administration of the wrong medication, resulting in a negative reaction, states an Eighth Amendment claim under 42 U.S.C. § 1983.
2. Whether the federal court had jurisdiction over Rast's state-law negligence claim.

HOLDINGS

1. The allegations that the defendant accidentally gave Rast the wrong medication on one occasion failed to state a federal Eighth Amendment claim under 42 U.S.C. § 1983.
2. The court lacked jurisdiction over Rast's state-law negligence claim and dismissed that claim without expressing an opinion on its merits.

KEY QUOTATIONS

“An accident, although it may produce added anguish, is not on that basis alone to be characterized as a wanton infliction of unnecessary pain.” (105)

FACTUAL BACKGROUND

Steven Rast, who was incarcerated at Kettle Moraine Correctional Institution, alleged that a correctional officer accidentally gave him the wrong medication on a single occasion. Rast alleged that he had a negative reaction to the medication and that the mistake adversely affected him. The opinion characterized the medication error as accidental rather than a wanton infliction of unnecessary pain.

PROCEDURAL HISTORY

Rast filed a pro se complaint alleging that a correctional officer violated his civil rights by accidentally giving him the wrong medication on one occasion. The court screened the complaint under the Prison Litigation Reform Act, found that the allegations did not state an Eighth Amendment claim, and permitted amendment. Rast did not file an amended complaint; instead, he submitted a letter describing the effects of the medication error. The court dismissed the federal claim for failure to state a claim and dismissed the state-law negligence claim for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Estelle v. Gamble, 429 U.S. 97, 105 (1976)

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