

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Jalil S. Reed v. C. O. Ainsley, et al.

Reed v. Ainsley · No. 2:24-cv-907 · Decided March 4, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania reviewed objections to a magistrate judge’s Report and Recommendation concerning a pro se prisoner’s civil rights action. The court overruled the objections, adopted the Report and Recommendation, and granted the defendants’ motion to dismiss in part while denying without prejudice the request based on failure to exhaust administrative remedies. The court dismissed several claims with or without prejudice and required the plaintiff to file an amended complaint by April 23, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	William S. Stickman IV
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	March 4, 2026
DOCKET	2:24-cv-907
DISPOSITION	other
PROCEDURAL POSTURE	The district court conducted de novo review of Plaintiff's objections to a magistrate judge's Report and Recommendation recommending that Defendants' motion to dismiss be granted. The court overruled the objections, adopted the Report and Recommendation as its Opinion, and ruled on the motion to dismiss in part.
STANDARD OF REVIEW	De novo review of the portions of a magistrate judge's Report and Recommendation to which objections were made, under 28 U.S.C. § 636(b)(1)(B)-(C) and Federal Rule of Civil Procedure 72(b)(3).
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Jalil S. Reed v. C. O. Ainsley, Sgt. Boland, C. O. Bridget, C. O. Cooper, Lt. Daily, Lt. Dilard, C. O. R. Shea aka Jim Fainio, Lt. Fleegle, P. S. S. Gina, C. O. Ginnerly, C. O. Glover, C. O. Higinbotham, C. O. Hutch, C. O. Kniper, C. O. Knizer, C. O. Masakeco, C. O. McWilliams, Sgt. Nahles, C. O. Perkins, C. O. F. D.

TOPICS

motions to dismiss pleadings civil procedure section 1983 prisoners rights

PRACTICE AREAS

civil rights prisoner civil rights federal civil procedure constitutional law

QUESTIONS PRESENTED

1. Whether the district court should accept, reject, or modify the magistrate judge's Report and Recommendation after conducting de novo review of Reed's objections.
2. Whether the Amended Complaint stated claims that could proceed against the Corrections Defendants, including claims based on official-capacity liability, retaliation, verbal threats and harassment, the Fifth and Fourteenth Amendments, and state law.
3. Whether the motion to dismiss should be granted without prejudice as to the Corrections Defendants' request to dismiss for failure to exhaust administrative remedies.
4. Whether Reed should be permitted to file an amended complaint under Federal Rule of Civil Procedure 8.

HOLDINGS

1. When a party objects to a magistrate judge's disposition of a dispositive matter, the district court must conduct de novo review of the portions to which objection is made and may accept, reject, or modify the recommended disposition.
2. All claims asserted against the Corrections Defendants in their official capacities were dismissed with prejudice.
3. The retaliation claim asserted against Wilson and Shawn was dismissed with prejudice because amendment would be futile.
4. The retaliation claim premised on the Corrections Defendants' verbal threats and harassment was dismissed with prejudice because amendment would be futile.
5. All claims brought pursuant to the Fifth Amendment were dismissed with prejudice because amendment would be futile.
6. Any Fourteenth Amendment claim predicated on the Corrections Defendants' verbal threats and harassment was dismissed without prejudice.
7. Plaintiff's state-law claims were dismissed with prejudice.
8. The Corrections Defendants' request to dismiss the complaint for failure to exhaust administrative remedies was denied without prejudice.

9. Reed was ordered to file an amended complaint complying with Federal Rule of Civil Procedure 8 by April 23, 2026; the amended pleading must stand alone and may not reassert claims dismissed with prejudice.

KEY QUOTATIONS

“Objections to a magistrate judge’s disposition of a dispositive matter are subject to de novo review before the district judge.” (Order)

“The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” (Order)

FACTUAL BACKGROUND

Jalil S. Reed, an inmate confined at SCI-Frackville, brought a civil rights action concerning events that occurred at SCI-Fayette between May 28, 2024, and June 16, 2024, while he was incarcerated there. The action asserted claims against numerous corrections officials, including claims concerning retaliation, verbal threats and harassment, constitutional violations, and state-law claims. The court identified surviving claims that could proceed against certain defendants for access to courts and deliberate indifference to medical care if Reed elected not to amend.

PROCEDURAL HISTORY

Reed, a state prisoner proceeding pro se, brought a civil rights action based on events at SCI-Fayette. Corrections Defendants moved to dismiss the Amended Complaint for failure to state a claim. Magistrate Judge Kezia O. L. Taylor recommended granting the motion; Reed objected. After the case was transferred from Judge David S. Cercone to Judge William S. Stickman IV, the district court performed de novo review, overruled the objections, adopted the Report and Recommendation, granted the motion in part, denied it without prejudice as to exhaustion, and allowed amendment by April 23, 2026.

DISPOSITION

other

CASES CITED

- In re Burlington Coat Factory Securities Litigation, 114 F.3d 1410, 1434 (3d Cir. 1997)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA JALIL S. REED, Plaintiff, Civil Action No. 2:24-cv-907 v. Hon. William S. Stickman IV Hon. Kezia O. L. Taylor C. O. AINSLEY, et al, Defendants. ORDER OF COURT Pro se Plaintiff Jalil S. Reed (“Plaintiff”), an inmate confined at SCI-Frackville, brought this civil rights action for events that occurred at SCI-Fayette between May 28, 2024 and June 16, 2024, while he was incarcerated there.

(ECF No. 15). Pending before the Court is Defendants C.O. Ainsley (“Ainsley”), Sgt. Boland (“Boland”), C.O. Bridget (“Bridget”), C.O. Cooper (“Cooper”), Lt. Daily (“Daily”), Lt. Dilard (“Dilard”), C.O. R. Shea AKA Jim Fainio (“Fainio”), Lt. Fleegle (“Fleegle”), P.S.S. Gina (“Gina”), C.O. Ginnerly (“Ginnerly”), C.O. Glover (“Glover”), C.O. Higinbotham (“Higinbotham”), C.O.

Hutch (“Hutch”), C.O. Kniper (“Kniper”), C.O. Knizer (“Knizer”), C.O. Masakeco (“Masakeco”), C.O. McWilliams (“McWilliams”), Sgt. Nahles (“Nahles”), C.O. Perkins (“Perkins”), C.O. F.D. Piper (“Piper”), C.O. Shawn (“Shawn”), C.O. Thomas (“Thomas”), Deputy Warden Tkacs (“Tkacs”), Superintendent Tina Walker (“Walker”), C.O. Wilson (“Wilson”), and Sgt. Wooldridge’s (“Wooldridge”) (collectively “Corrections Defendants”) Motion to Dismiss Amended Complaint for Failure to State a Claim.

(ECF No. 40). Magistrate Judge Kezia O. L. Taylor issued an October 31, 2025, Report and Recommendation that the motion be granted. (ECF No. 69). The parties were given the opportunity to file objections, and Plaintiff did so on November 13, 2025. (ECF No. 75).

On March 2, 2026, the case was transferred from the Honorable David S. Cercone to the undersigned. Objections to a magistrate judge’s disposition of a dispositive matter are subject to de novo review before the district judge. 28 U.S.C. § 636(b)(1)(B)-(C); Fed. R. Civ. P. 72(b)(3).

The reviewing district court must make a de novo determination of those portions of the magistrate judge’s report and recommendation to which objections are made. *Id.* Following de novo review, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed.

R. Civ. P. 72(b)(3). Upon review of Magistrate Judge Taylor’s Report and Recommendation, the objections filed thereto, and the Court’s de novo review of the record in this matter, IT IS HEREBY ORDERED that Plaintiff’s objections (ECF No. 75) are OVERRULED.

The Court concurs with Magistrate Judge Taylor’s thorough analysis and her legal conclusions. It has independently reached the same legal conclusions for the same reasons expressed in the Report and Recommendation. Therefore, the Court hereby APOPTS Magistrate Judge Taylor’s Report and Recommendation (ECF No. 69) as its Opinion. AND NOW, this 4th day of March 2026, IT IS HEREBY ORDERED that Defendants’ motion to dismiss (ECF No. 40) is GRANTED IN PART and DENIED IN PART.

It is DENIED without prejudice as to Corrections Defendants’ request to dismiss the complaint for failure to exhaust administrative remedies. It is GRANTED as follows: 1. All claims asserted against Corrections Defendants in their official capacities are DISMISSED WITH PREJUDICE; 2.

The retaliation claim asserted against Wilson and Shawn is DISMISSED WITH PREJUDICE as amendment would be futile; 3. The retaliation claim premised on Corrections Defendants’ verbal

threats and harassment is DISMISSED WITH PREJUDICE as amendment would be futile; 4. All claims brought pursuant to the Fifth Amendment are DISMISSED WITH PREJUDICE as amendment would be futile; 5.

Any Fourteenth Amendment claim predicated on Corrections Defendants' verbal threats and harassment is DISMISSED WITHOUT PREJUDICE; and 6. Plaintiff's state law claims are DISMISSED WITH PREJUDICE. IT IS FURTHER ORDERED that Plaintiff shall file an amended complaint in compliance with Federal Rule of Civil Procedure 8 on or before April 23, 2026, and it must: (1) be a pleading that stands by itself without reference to other filings in this case; and (2) not re-allege claims that have been dismissed with prejudice.

1 See *In re Burlington Coat Factory Sec. Litig.*, 114 F.3d 1410, 1434 (3d Cir. 1997) (a court may decide to deny leave to amend for reasons such as undue delay, bad faith, dilatory motive, prejudice, and futility). An amendment is futile if it merely restates the same facts as the original complaint in different terms, reasserts a claim on which the court previously ruled, fails to state a legal theory, or could not withstand a motion to dismiss." 3 James Wm.

Moore et al., *Moore's Federal Practice* ¶ 15.15 (3d ed. 2024). Should Plaintiff elect not to file an amended complaint, this case will move forward against Cooper, Nahles, and Ainsley on an access to courts claim, and against C.O. Kinzer, C.O. Carns, Shea, Higinbotham, Nurse John Doe 4, and Nurse Jane Doe 5, on a deliberate indifference to medical care claim, only.

BY THE COURT: s/ William S. Stickman IV WILLIAM S. STICKMAN IV UNITED STATES DISTRICT JUDGE