

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, WESTERN DIVISION

**Marilyn Donald, as next-of-kin and wrongful death representative of
the late Marcus Donald, in her individual capacity, and Charles
Donald, as next-of-kin and wrongful death representative of the late
Marcus Donald, in his individual capacity v. Floyd Bonner, Jr., et al.**

Donald v. Bonner · No. 2:23-cv-02738-TLP-atc · Decided May 26, 2026

SUMMARY

The United States District Court for the Western District of Tennessee grants Sheriff Floyd Bonner, Jr.’s and Chief Jailer Kirk Fields’ Rule 12(b)(6) motions to dismiss individual-capacity supervisory-liability claims arising from the death of a detainee in the Shelby County Jail. The court holds that the complaint does not plausibly allege that either defendant engaged in active unconstitutional behavior or personally caused the alleged constitutional violation. The court therefore concludes that both defendants are entitled to qualified immunity, while leaving unresolved whether the Eighth or Fourteenth Amendment governs the underlying failure-to-protect claim.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Western Division
WRITING FOR THE COURT	Thomas L. Parker
JURISDICTION	United States District Court for the Western District of Tennessee, Western Division
DECIDED	May 26, 2026
DOCKET	2:23-cv-02738-TLP-atc
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought claims under 42 U.S.C. § 1983 and the Tennessee Governmental Tort Liability Act arising from the death of a detainee or prisoner in the Shelby County Jail. Sheriff Floyd Bonner, Jr. and Chief Jailer Kirk Fields moved under Federal Rule of Civil Procedure 12(b) (6) to dismiss the individual-capacity supervisory-liability claims. The court granted both motions.

STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether the complaint states a claim that is plausible on its face. In evaluating qualified immunity at the pleading stage, the plaintiff bears the burden of plausibly alleging both a constitutional violation and violation of a clearly established right. The court may consider exhibits referenced in and central to the complaint, and a document that contradicts the complaint controls over inconsistent allegations.
PRECEDENTIAL VALUE	unpublished district court opinion; nonprecedential
PARTIES	Marilyn Donald, Charles Donald v. Floyd Bonner, Jr., Kirk Fields, Shelby County, T. Johnson, Dontreal Hawkins, Kimberly Wallace, Brenda McCoy, Grandberry, Terri Parker

TOPICS

[section 1983](#)
[qualified immunity](#)
[prisoners rights](#)
[motions to dismiss](#)
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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged that Sheriff Bonner personally engaged in active unconstitutional behavior or caused Donald's death through supervisory conduct.
2. Whether the amended complaint plausibly alleged that Chief Jailer Fields actively authorized, approved, or knowingly acquiesced in unconstitutional conduct through jail staffing and post-classification decisions.
3. Whether Bonner and Fields were entitled to qualified immunity because the complaint failed to plausibly allege a constitutional violation attributable to either defendant.

HOLDINGS

1. The amended complaint did not plausibly allege that Bonner personally authorized, approved, encouraged, or knowingly acquiesced in unconstitutional conduct, or that he actively participated in the staffing procedures alleged to have caused Donald's death. General responsibility as sheriff and generalized knowledge of understaffing were insufficient.
2. The amended complaint did not plausibly allege that Fields actively authorized, approved, or knowingly acquiesced in unconstitutional conduct. Allegations that Fields created or authorized a post-classification system and inadequately allocated limited staff did not establish that he abandoned his specific duties or personally caused the alleged constitutional injury.
3. Bonner and Fields were entitled to qualified immunity at the pleading stage because the complaint failed to plausibly allege a constitutional violation attributable to either defendant through supervisory liability.

KEY QUOTATIONS

“This means an official cannot be held vicariously liable for their subordinate’s unconstitutional actions.”
(PageID 1919)

“These limits require the plaintiff to plausibly allege that (1) the defendant engaged in “active unconstitutional behavior” as a supervisor; and (2) the defendant’s unconstitutional behavior was the factual and proximate cause of the plaintiff’s injuries.” (PageID 1920)

“The allegations of Bonner’s connection to the Jail’s staffing is simply “too attenuated” to show active involvement.” (PageID 1954)

“In sum, Fields’ active involvement in the Jail’s allegedly inadequate staffing does not meet supervisory liability’s “sharp limits.”” (PageID 2003)

FACTUAL BACKGROUND

While detained at the Shelby County Jail, Marcus Donald was placed in a cell with Stephen Robinson, who strangled him on the night of November 17, 2022. Donald remained on life support until doctors declared him brain dead on November 23, 2022. Plaintiffs alleged that Robinson had threatened Donald, that Donald and other inmates had warned jail personnel, and that officers failed to respond promptly after the attack. They further alleged that longstanding understaffing and changes to jail staffing patterns contributed to inadequate inmate monitoring.

PROCEDURAL HISTORY

Marcus Donald's parents sued various jail officials and Shelby County after Donald was strangled by his cellmate and later died. Plaintiffs filed an amended complaint alleging, among other things, supervisory liability based on jail understaffing and staffing-pattern changes. The court previously denied motions by Bonner and Shelby County challenging the complaint's length and plausibility, but granted the present Rule 12(b)(6) motions by Bonner and Fields because the amended complaint did not plausibly allege their personal, active involvement in unconstitutional conduct.

DISPOSITION

other

CASES CITED

- Crawford v. Tilley, 15 F.4th 752, 760–67 (6th Cir. 2021)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556 (2007)
- Direct Construction Services, LLC v. City of Detroit, 820 F. App'x 417, 426 (6th Cir. 2020)
- Cady v. Arenac County, 574 F.3d 334, 342 (6th Cir. 2009)
- Creelgroup, Inc. v. NGS America, Inc., 518 F. App'x 343, 346–47 (6th Cir. 2013)
- Diei v. Boyd, 116 F.4th 637, 643 (6th Cir. 2024)

- *Nolan v. Detroit Edison Co.*, 991 F.3d 697, 707 (6th Cir. 2021)
- *Saalim v. Walmart, Inc.*, 97 F.4th 995, 1002 (6th Cir. 2024)
- *Akima v. Peca*, 85 F.4th 416, 422 (6th Cir. 2023)
- *Farmer v. Brennan*, 511 U.S. 825, 833, 843 (1994)
- *City of Joliet, Illinois v. Estate of Madigan*, 580 U.S. 357, 370 (2017)
- *Albright v. Oliver*, 510 U.S. 266, 271 (1994)
- *Lovell v. County of Kalamazoo, Michigan*, 172 F.4th 931, 936 (6th Cir. 2026)
- *Kingsley v. Hendrickson*, 576 U.S. 389, 400–01 (2015)
- *Brawner v. Scott County, Tennessee*, 14 F.4th 585, 592 (6th Cir. 2021)
- *Wiley v. City of Columbus, Ohio*, 36 F.4th 661, 668 (6th Cir. 2022)
- *Harlow v. Fitzgerald*, 457 U.S. 800, 817–19 (1982)
- *Pearson v. Callahan*, 555 U.S. 223, 231, 237 (2009)
- *Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985)
- *Martinez v. Wayne County, Michigan*, 142 F.4th 828, 835–36 (6th Cir. 2025)
- *Marvaso v. Sanchez*, 971 F.3d 599, 605 (6th Cir. 2020)
- *Myers v. City of Centerville, Ohio*, 41 F.4th 746, 759 (6th Cir. 2022)
- *Foos v. City of Delaware*, 492 F. App'x 582, 592 (6th Cir. 2012)
- *Venema v. West*, 133 F.4th 625, 633 (6th Cir. 2025)
- *Does v. Whitmer*, 69 F.4th 300, 306, 308 (6th Cir. 2023)
- *Troutman v. Louisville Metro Department of Corrections*, 979 F.3d 472, 487 (6th Cir. 2020)
- *Gregory v. City of Louisville*, 444 F.3d 725, 752 (6th Cir. 2006)
- *Moderwell v. Cuyahoga County, Ohio*, 997 F.3d 653, 664 (6th Cir. 2021)
- *Agramonte v. Shartle*, 491 F. App'x 557, 560 (6th Cir. 2012)
- *Stoudemire v. Michigan Department of Corrections*, 614 F. App'x 798, 803–05 (6th Cir. 2015)
- *Greene v. Bowles*, 361 F.3d 290, 294 (6th Cir. 2004)
- *Coley v. Lucas County*, 799 F.3d 530, 542 (6th Cir. 2015)
- *Hill v. Marshall*, 962 F.2d 1209, 1213 (6th Cir. 1992)
- *Essex v. County of Livingston*, 518 F. App'x 351, 355, 357 (6th Cir. 2013)
- *Harvey v. Campbell County*, 453 F. App'x 557, 563 (6th Cir. 2011)
- *Johnson v. CoreCivic, Inc.*, No. 18-1051, 2018 WL 5798534 (W.D. Tenn. Nov. 5, 2018)
- *Arrington-Bey v. City of Bedford Heights, Ohio*, 858 F.3d 988, 993 (6th Cir. 2017)