

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Davis v. Nines

No. 1:24-cv-02488 (D. Md. Mar. 19, 2026) · No. 1:24-cv-02488 · Decided March 19, 2026

SUMMARY

The opinion addresses claims by Aaron Davis, a hearing-impaired Maryland inmate, concerning alleged failures to provide accommodations and alleged retaliation by correctional and contracted medical personnel. The court finds that discovery is necessary before considering the defendants’ alternative summary-judgment motions, treats them as motions to dismiss, dismisses official-capacity damages claims against state defendants, and allows prospective injunctive claims and ADA and Rehabilitation Act claims to proceed at this stage.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Maryland                                                                                                                                                                                                                                                                                                                                                                                                       |
| WRITING FOR THE COURT | Theodore D. Chuang                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| JURISDICTION          | United States District Court for the District of Maryland                                                                                                                                                                                                                                                                                                                                                                                                       |
| DECIDED               | March 19, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DOCKET                | 1:24-cv-02488                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | Defendants moved to dismiss the amended complaint under Federal Rule of Civil Procedure 12(b)(6) or, alternatively, for summary judgment under Rule 56. Plaintiff moved for discovery under Rule 56(d), clarification and investigation, leave to file an appendix, additional time to conduct discovery, and appointment of counsel.                                                                                                                           |
| STANDARD OF REVIEW    | On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and determines whether they plausibly state a claim. Summary judgment was not reached because discovery had not occurred and factual issues remained. Rule 56(d) discovery requests are liberally granted where the nonmovant has had little or no discovery and identifies information essential to opposing summary judgment. |
| PRECEDENTIAL VALUE    | nonprecedential district court memorandum opinion                                                                                                                                                                                                                                                                                                                                                                                                               |
| PARTIES               | Aaron Davis v. Jeffrey Nines, Keith Arnold, Bethany Cornachia, Richard Roderick, Michelle Gardner, Aetna/YesCare Utilization                                                                                                                                                                                                                                                                                                                                    |

Management Medical Director, Centurion Utilization Management  
Medical Director, Kristine M. Swick, Asresahegn Getachew, M.D.,  
Michael S. Love

## TOPICS

ada / disability

reasonable accommodation

prisoners rights

section 1983

motions to dismiss

## PRACTICE AREAS

prisoner civil rights

disability discrimination

constitutional litigation

federal civil procedure

## QUESTIONS PRESENTED

1. Whether the court should convert defendants' motions to dismiss into motions for summary judgment before Davis had an opportunity for discovery.
2. Whether Davis plausibly stated ADA and Rehabilitation Act claims based on the alleged denial of auxiliary aids and other accommodations for his hearing impairment.
3. Whether Davis plausibly stated Eighth Amendment and Maryland Declaration of Rights claims based on the alleged failure to provide hearing-related accommodations.
4. Whether Davis plausibly stated a First Amendment retaliation claim based on adverse actions allegedly taken after he filed accommodation requests and grievances.
5. Whether Davis stated due process, equal protection, or Section 1985(3) conspiracy claims.
6. Whether the state defendants were immune from damages claims in their official capacities under the Eleventh Amendment and whether qualified immunity required dismissal of the individual-capacity claims.
7. Whether appointment of counsel was warranted.

## HOLDINGS

1. The court declined to consider defendants' alternative motions for summary judgment because Davis had no opportunity for discovery and identified unresolved factual issues material to his claims.
2. Davis plausibly alleged ADA Title II and Rehabilitation Act Section 504 claims against the relevant public entity or entity receiving federal financial assistance, but not against individual defendants or the medical defendants on the allegations presented.
3. Davis plausibly stated Eighth Amendment and Maryland Declaration of Rights claims against the state defendants based on the alleged failure to provide hearing-related accommodations, including a beacon or pager that could alert him to emergencies.
4. Davis failed to state Eighth Amendment or Maryland Articles 16 and 25 claims against the medical defendants.
5. Davis plausibly stated a First Amendment retaliation claim against Nines, Arnold, and Roderick, but not against Cornachia, Gardner, or the medical defendants.

6. Davis failed to state due process, equal protection, or Maryland Article 24 claims based on the denial of requested accommodations.
7. Davis failed to state a Section 1985(3) civil-rights conspiracy claim.
8. The state defendants were immune from damages claims in their official capacities, but Davis could pursue prospective injunctive relief against state officials for alleged ongoing violations of federal law.
9. The court declined to dismiss the remaining individual-capacity First Amendment retaliation and Eighth Amendment claims against the state defendants on qualified-immunity grounds at the pleading stage.

## KEY QUOTATIONS

*“Here, Davis has sufficiently alleged facts demonstrating that he has a disability, specifically hearing loss, and that with auxiliary aids he can receive the full services of the prison, such that he is qualified to receive those services.” (at 14)*

*“Although the adverse actions may prove to be unconnected to Davis’s protected activity, and there may be legitimate reasons for those actions, when the allegations are viewed in the light most favorable to Davis as is required at this stage, and particularly where Davis has alleged facts that could support multiple instances of retaliation, the Court finds that he has adequately alleged a claim of First Amendment retaliation.” (at 23)*

## FACTUAL BACKGROUND

Davis, an incarcerated person with lifelong progressive hearing loss, was transferred from a Maryland prison serving deaf and hearing-impaired inmates to North Branch Correctional Institution. He alleged that NBCI failed to provide requested accommodations, including a CapTel or video relay phone, a pager or beacon for announcements and emergencies, and a hearing-impaired sign. Despite recommendations from medical professionals and repeated requests and grievances, the accommodations allegedly remained unavailable or were denied, and Davis alleged that officials retaliated against him by placing him in segregation, searching his cell, confiscating or damaging his hearing aid, and restricting his property.

## PROCEDURAL HISTORY

Davis filed the original complaint on August 26, 2024, and later filed the operative verified amended complaint asserting ADA, Rehabilitation Act, constitutional, Section 1983, Section 1985(3), and Maryland Declaration of Rights claims arising from alleged failures to accommodate his hearing impairment. The court declined to convert the motions to dismiss into motions for summary judgment because Davis had not received an adequate opportunity for discovery. It granted the medical defendants' motions in full, granted the state defendants' motion in part and denied it in part, granted discovery-related motions, and appointed counsel.

## DISPOSITION

other

## CASES CITED

- *Sec’y of State for Defence v. Trimble Navigation Ltd.*, 484 F.3d 700, 705 (4th Cir. 2007)

- *Gay v. Wall*, 761 F.2d 175, 177 (4th Cir. 1985)
- *McCray v. Md. Dep't of Transp., Md. Transit Admin.*, 741 F.3d 480, 483-84 (4th Cir. 2014)
- *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986)
- *Jenkins v. Woodard*, 109 F.4th 242, 247, 251 (4th Cir. 2024)
- *Escobar-Salmeron v. Moyer*, 150 F.4th 360, 369-70 (4th Cir. 2025)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Albright v. Oliver*, 510 U.S. 266, 268 (1994)
- *Lambeth v. Bd. of Comm'rs of Davidson County*, 407 F.3d 266, 268 (4th Cir. 2005)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)
- *Bing v. Brivo Sys., LLC*, 959 F.3d 605, 618 (4th Cir. 2020)
- *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984)
- *Will v. Mich. Dep't of State Police*, 491 U.S. 58, 71 (1989)
- *Bd. of Trs. of Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001)
- *Frew ex rel. Frew v. Hawkins*, 540 U.S. 431, 437 (2004)
- *Lapides v. Bd. of Regents of Univ. Sys. of Ga.*, 535 U.S. 613, 618 (2002)
- *Lee-Thomas v. Prince George's Cnty. Pub. Schs.*, 666 F.3d 244, 249 (4th Cir. 2012)
- *Indus. Servs. Grp., Inc. v. Dobson*, 68 F.4th 155, 163 (4th Cir. 2023)
- *Antrican v. Odom*, 290 F.3d 178, 184 (4th Cir. 2002)
- *Verizon Md., Inc. v. Pub. Serv. Comm'n of Md.*, 535 U.S. 635, 645 (2002)
- *Idaho v. Coeur d'Alene Tribe of Idaho*, 521 U.S. 261, 296 (1997)
- *Pa. Dep't of Corr. v. Yeskey*, 524 U.S. 206, 210 (1998)
- *Constantine v. Rectors & Visitors of George Mason Univ.*, 411 F.3d 474, 498-99 & n.17 (4th Cir. 2005)
- *Nat'l Fed'n of the Blind v. Lamone*, 813 F.3d 494, 502-05, 507 & n.10 (4th Cir. 2016)
- *Baird ex rel. Baird v. Rose*, 192 F.3d 462, 471 (4th Cir. 1999)
- *Vinson v. Thomas*, 288 F.3d 1145, 1156 (9th Cir. 2002)
- *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)
- *Iko v. Shreve*, 535 F.3d 225, 241 (4th Cir. 2008)
- *Hudson v. McMillian*, 503 U.S. 1, 9 (1992)
- *Jackson v. Lightsey*, 775 F.3d 170, 178 (4th Cir. 2014)
- *Farmer v. Brennan*, 511 U.S. 825, 837 (1994)
- *Scinto v. Stansberry*, 841 F.3d 219, 225 (4th Cir. 2016)
- *v. Smith*, 834 F.2d 389, 392-94 (4th Cir. 1987)
- *Shakka v. Smith*, 71 F.3d 162, 167 (4th Cir. 1995)
- *Large v. Washington Cnty. Det. Ctr.*, 915 F.2d 1564, No. 90-6610, 1990 WL 153978, at \*1-2 (4th Cir. Oct. 16, 1990)
- *Heyer v. U.S. Bureau of Prisons*, 849 F.3d 202, 211 (4th Cir. 2017)
- *Evans v. State*, 914 A.2d 25, 67 (Md. 2006)

- Suarez Corp. Indus. v. McGraw, 202 F.3d 676, 685 (4th Cir. 2000)
- Booker v. S.C. Dep't of Corr., 855 F.3d 533, 545 (4th Cir. 2017)
- Savoy v. Bishop, 706 F. App'x 786, 789 (4th Cir. 2017)
- Martin v. Duffy, 858 F.3d 239, 249 (4th Cir. 2017)
- Pitsenberger v. Pitsenberger, 410 A.2d 1052, 1056 (Md. 1980)
- Morrissey v. Brewer, 408 U.S. 471, 481 (1972)
- Cnty. of Sacramento v. Lewis, 523 U.S. 833, 847 (1998)
- Collins v. City of Harker Heights, 503 U.S. 115, 128 (1992)
- City of Cleburne v. Cleburne Living Ctr., 473 U.S. 432, 439, 442-43 n.10 (1985)
- Veney v. Wyche, 293 F.3d 726, 730-31 (4th Cir. 2002)
- Morrison v. Garraghty, 239 F.3d 648, 654 (4th Cir. 2001)
- Moss v. Clark, 886 F.2d 686, 690 (4th Cir. 1989)
- A Soc'y Without A Name v. Virginia, 655 F.3d 342, 346 (4th Cir. 2011)
- Simmons v. Poe, 47 F.3d 1370, 1376 (4th Cir. 1995)
- Bland v. Roberts, 730 F.3d 368, 391 (4th Cir. 2013)
- Edwards v. City of Goldsboro, 178 F.3d 231, 250 (4th Cir. 1999)
- Miller v. Simmons, 814 F.2d 962, 966 (4th Cir. 1987)
- Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975)