

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

Mufti Abdul El-Malik-Bey Ali v. David Liebel et al.

No. 3:23cv879 DRL-SJF (N.D. Ind. Mar. 10, 2026) · No. 3:23cv879 DRL-SJF · Decided March 10, 2026

SUMMARY

The court denied Mufti Abdul El-Malik-Bey Ali’s motion under Federal Rule of Civil Procedure 59(e) to reconsider summary judgment for the defendants. It held that the Supreme Court’s decision in *Perttu v. Richards* did not require a jury trial because exhaustion was not intertwined with the merits of Ali’s religious-rights claims. The court also concluded that Ali had not shown a manifest error of law or fact, because he failed to follow the Indiana Department of Correction’s grievance and appeal procedures before filing suit.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Damon R. Leichty
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 10, 2026
DOCKET	3:23cv879 DRL-SJF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to alter or reconsider the prior summary judgment entered for defendants on the ground that he had failed to exhaust available administrative remedies under the Prison Litigation Reform Act.
STANDARD OF REVIEW	Rule 59(e) relief is an extraordinary remedy available only upon newly discovered evidence or a manifest error of law or fact; the movant must clearly establish a basis for relief.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Mufti Abdul El-Malik-Bey Ali v. David Liebel, William Croto, Heather Wolfe

TOPICS

motion for reconsideration

summary judgment

prisoners rights

section 1983

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether Ali was entitled to Rule 59(e) relief based on *Perttu v. Richards* and a claimed right to a jury trial on the availability or exhaustion of administrative remedies.
2. Whether the prior summary judgment rested on a manifest error of law or fact concerning the availability of the prison grievance process.
3. Whether Ali properly exhausted the administrative remedies required by the Indiana Department of Correction grievance policy before filing suit.

HOLDINGS

1. *Perttu* did not warrant reconsideration because Ali's exhaustion issue was not intertwined with the merits of a claim requiring a jury trial; resolving exhaustion did not require deciding whether prison officials obstructed his access to the grievance system.
2. Reconsideration under Rule 59(e) is warranted only upon newly discovered evidence or a manifest error of law or fact and cannot be used to present arguments that were or could have been presented before judgment.
3. Ali failed to properly exhaust the administrative remedies available under the prison's grievance policy before filing suit.
4. The grievance process was not rendered unavailable merely because prison officials allegedly failed to respond, because the grievance policy provided specific follow-up and appeal procedures that Ali did not use.

KEY QUOTATIONS

"The law takes a "strict compliance approach to exhaustion."" (Discussion)

"Accordingly, because the undisputed evidence demonstrates Mr. Ali didn't properly exhaust before filing suit, he hasn't demonstrated any manifest error of law or fact, and reconsideration isn't warranted." (Discussion)

FACTUAL BACKGROUND

Ali, a practicing Muslim incarcerated at Miami Correctional Facility, alleged that prison officials confiscated religious literature and denied him meals, religious materials, and space needed to practice his religion. He also alleged retaliation and other religious-rights violations. The record showed that, although Ali submitted or attempted to submit grievances concerning some claims, he did not follow the prison policy's procedures for notifying officials of missing responses or appealing grievances through the warden and Department Offender Grievance Manager.

PROCEDURAL HISTORY

Ali, a prisoner at Miami Correctional Facility, asserted religious-rights claims under section 1983 against Liebel, Wolfe, and Croto. The court granted defendants summary judgment on June 30, 2025, concluding that Ali had not properly exhausted the prison grievance process before filing suit. Ali filed a Rule 59(e) motion 26 days later, relying in part on the intervening Supreme Court decision in *Perttu v. Richards*. The court denied reconsideration.

DISPOSITION

other

CASES CITED

- Ali v. Liebel, 2025 U.S. Dist. LEXIS 126012, 2-3 (N.D. Ind. June 30, 2025)
- Perttu v. Richards, 605 U.S. 460 (2025)
- Foman v. Davis, 371 U.S. 178, 181 (1962)
- Banister v. Davis, 590 U.S. 504, 508 (2020)
- Cehovic-Dixneuf v. Wong, 895 F.3d 927, 932 (7th Cir. 2018)
- Gonzalez-Koeneke v. West, 791 F.3d 801, 807 (7th Cir. 2015)
- Harrington v. City of Chi., 433 F.3d 542, 546 (7th Cir. 2006)
- White v. N.H. Dep't of Emp. Sec., 455 U.S. 445, 451 (1982)
- Cincinnati Life Ins. v. Beyrer, 722 F.3d 939, 954 (7th Cir. 2013)
- Chambers v. Sood, 956 F.3d 979, 983 (7th Cir. 2020)
- Woodford v. Ngo, 548 U.S. 81, 93-95 (2006)
- Lockett v. Bonson, 937 F.3d 1016, 1025 (7th Cir. 2019)
- Jones v. Bock, 549 U.S. 199, 218 (2007)
- Dole v. Chandler, 438 F.3d 804, 809 (7th Cir. 2006)
- Pozo v. McCaughtry, 286 F.3d 1022, 1023-25 (7th Cir. 2002)
- King v. McCarty, 781 F.3d 889, 893 (7th Cir. 2015)
- Ross v. Blake, 578 U.S. 632, 642 (2016)
- Thomas v. Reese, 787 F.3d 845, 847 (7th Cir. 2015)
- Cosgrove v. Bartolotta, 150 F.3d 729, 732 (7th Cir. 1998)
- Sigsworth v. City of Aurora, 487 F.3d 506, 512 (7th Cir. 2007)
- Moro v. Shell Oil Co., 91 F.3d 872, 876 (7th Cir. 1996)
- Bowers v. Dart, 1 F.4th 513, 518 (7th Cir. 2021)
- Ahmed v. Ashcroft, 388 F.3d 247, 249 (7th Cir. 2004)
- King v. Ford Motor Co., 872 F.3d 833, 838-39 (7th Cir. 2017)
- Shipp v. Lobenstein, 2023 U.S. App. LEXIS 34047, 4 (7th Cir. Dec. 22, 2023)
- Smallwood v. Williams, 59 F.4th 306, 313 (7th Cir. 2023)

- Ingram v. Watson, 67 F.4th 866, 869 (7th Cir. 2023)
- Maas v. Labby, 2025 U.S. Dist. LEXIS 252603, 3-4 (E.D. Wis. Dec. 8, 2025)

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