

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Patrick R. Kurkowski v. Austin Spafford, Tanner Pardun, Officer
Magnun, Melissa McLain, and Raye Ward

No. 3:24-cv-00237 (W.D. Wis. Mar. 11, 2026) · No. 3:24-cv-00237 · Decided March 11, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin granted summary judgment to jail officials in Patrick R. Kurkowski's Fourteenth Amendment action concerning an allegedly excessive and sexually inappropriate pat-down search. The court concluded that the undisputed facts and video evidence showed that the search was objectively reasonable and directed entry of judgment for defendants and closure of the case.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	March 11, 2026
DOCKET	3:24-cv-00237
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought Fourteenth Amendment claims concerning an allegedly excessive and sexual pat-down search while he was a pretrial detainee. Defendants moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is proper when the material facts are undisputed and the movant is entitled to judgment as a matter of law under Federal Rule of Civil Procedure 56(a). The court views the facts and reasonable inferences in the nonmovant's favor unless video or other record evidence utterly discredits the nonmovant's version so that no reasonable jury could believe it.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Patrick R. Kurkowski v. Austin Spafford, Tanner Pardun, Officer Magnun, Melissa McLain, Raye Ward

TOPICS

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due process

summary judgment

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QUESTIONS PRESENTED

1. Whether the pat-down search violated Kurkowski's Fourteenth Amendment due process rights because it was objectively unreasonable or excessive in relation to the legitimate governmental objective of locating contraband.
2. Whether defendants were entitled to summary judgment based on the undisputed facts and video evidence.
3. Whether the court needed to address qualified immunity or the claims that the other defendants failed to intervene.

HOLDINGS

1. The pat-down search did not violate Kurkowski's Fourteenth Amendment rights because it was objectively reasonable and not excessive in relation to the legitimate governmental objective of locating a razor blade and medication.
2. Defendants were entitled to summary judgment because the material facts were undisputed and the record evidence, particularly the video footage, showed that Spafford's conduct was constitutional.

KEY QUOTATIONS

“The undisputed facts in this case establish that Spafford didn’t violate Kurkowski’s Fourteenth Amendment rights by conducting the pat-down search.”

“Based on this footage, no reasonable jury could find that Spafford fondled Kurkowski’s genitals.”

FACTUAL BACKGROUND

Officials at the Burnett County Jail received reports that an inmate was hiding a razor blade and medication in a cell block, and they ordered pat-down searches of all inmates in the block. Deputy Austin Spafford searched pretrial detainee Patrick Kurkowski, who alleged that Spafford used excessive force, fondled his genitals, and swiped his hand against his anus while other officers watched. The court reviewed body-camera and jail-camera footage and concluded that the search was routine, that Kurkowski's pants sliding down reflected loose clothing rather than excessive force, and that the footage did not support the alleged sexual touching.

PROCEDURAL HISTORY

The court previously granted Kurkowski leave to proceed on Fourteenth Amendment claims against defendants. After discovery, defendants moved for summary judgment. The court granted the motion, directed entry of judgment for defendants, and ordered the case closed.

DISPOSITION

other

CASES CITED

- Holloway v. Del. Cnty. Sheriff, 700 F.3d 1063, 1068-69 (7th Cir. 2012)
- Pittman by and through Hamilton v. Madison Cnty., 108 F.4th 561, 568 (7th Cir. 2024)
- Stewardson v. Titus, 126 F.4th 1264, 1275 (7th Cir. 2025)
- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Kingsley v. Hendrickson, 576 U.S. 389, 398 (2015)
- Fillmore v. Page, 358 F.3d 496, 504 (7th Cir. 2004)
- Gillis v. Pollard, 554 F. App'x 502, 506 (7th Cir. 2014)

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