

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, NORTHERN DIVISION

Cruz Hinds v. Gabriel Thomas, et al.

Hinds v. Thomas · No. 2:24-cv-144 · Decided March 16, 2026

SUMMARY

The court adopted the magistrate judge’s report and recommendation in Cruz Hinds’s prisoner civil-rights action. It dismissed Hinds’s deliberate-indifference, First Amendment retaliation, and equal-protection claims, dismissed the claims against two unidentified and unserved corrections officers without prejudice, and denied summary judgment on Hinds’s Eighth Amendment excessive-force claim against Gabriel Thomas. The court concluded that video evidence did not conclusively disprove Hinds’s account that Thomas punched him while other officers restrained him.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Northern Division
JURISDICTION	United States District Court for the Western District of Michigan, Northern Division
DECIDED	March 16, 2026
DOCKET	2:24-cv-144
DISPOSITION	other
PROCEDURAL POSTURE	District court review of objections to a magistrate judge's report and recommendation addressing defendants' motion for summary judgment and dismissal of unserved defendants.
STANDARD OF REVIEW	De novo review of properly objected-to portions of a magistrate judge's report and recommendation under Federal Rule of Civil Procedure 72(b)(3); clear-error-or-contrary-to-law review under 28 U.S.C. § 636(b)(1)(A) for the unobjected-to nondispositive ruling denying leave to amend. Summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law.
PRECEDENTIAL VALUE	Unknown; federal district court order.

TOPICS

summary judgment

prisoners rights

qualified immunity

civil rights

first amendment

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

qualified immunity

QUESTIONS PRESENTED

1. Whether the district court properly adopted the magistrate judge's report and recommendation after conducting de novo review of the properly objected-to portions.
2. Whether summary judgment was appropriate on Hinds's First Amendment retaliation and equal-protection claims.
3. Whether video evidence conclusively disproved Hinds's account of Thomas's alleged punch so as to warrant summary judgment on the Eighth Amendment excessive-force claim.
4. Whether Thomas was entitled to qualified immunity on the excessive-force claim.
5. Whether claims against two unidentified, unserved corrections officers should be dismissed without prejudice after Hinds failed to timely amend the complaint and failed to object to denial of leave to amend.

HOLDINGS

1. A district court must conduct de novo review of portions of a magistrate judge's disposition to which a proper objection is made, but need not revisit unobjected-to portions absent obvious error.
2. The First Amendment retaliation claim was properly dismissed because Hinds attempted to rely on new factual allegations raised for the first time in his objections and, in any event, failed to establish protected conduct or an injury greater than de minimis.
3. Summary judgment was properly denied on Hinds's Eighth Amendment excessive-force claim against Thomas because the security footage did not so blatantly contradict Hinds's account that no reasonable jury could believe it.
4. Thomas was not entitled to qualified immunity at the summary-judgment stage because, taking Hinds's account as true, a corrections officer's intentional punch of a restrained prisoner to inflict pain violated clearly established law.
5. The claims against the two unidentified corrections officers were properly dismissed without prejudice because Hinds failed to timely amend the complaint, failed to object to denial of leave to amend, and did not timely bring the officers into the action.

KEY QUOTATIONS

"The Court cannot conclusively determine from the recording submitted by Defendants that Thomas did not punch Hinds immediately after being spit on. So the Court must resolve this ambiguity in Hinds's favor and leave its determination to the trier of fact."

“The video recordings submitted by Defendants do not conclusively establish what Gabriel Thomas did to Cruz Hinds after Hinds spit on him in January 2024, so Thomas is not entitled to summary judgment on Hinds’s excessive-force claim under the Eighth Amendment.”

FACTUAL BACKGROUND

Hinds, a prisoner, alleged that Gabriel Thomas punched him in the nose while two unidentified corrections officers restrained him during an extraction from his cell. Security footage showed the officers suddenly restraining Hinds after he spit on Thomas, while Thomas moved toward Hinds and then away; because the officers obscured Thomas and the camera angle was limited, the footage did not conclusively establish whether Thomas punched Hinds. Hinds also asserted First Amendment retaliation, deliberate-indifference, and equal-protection claims, and attempted to identify two previously unnamed corrections officers after the close of discovery.

PROCEDURAL HISTORY

The magistrate judge recommended dismissing plaintiff’s First Amendment retaliation, deliberate-indifference, and equal-protection claims; denying summary judgment on plaintiff’s Eighth Amendment excessive-force claim against Gabriel Thomas; and dismissing two unidentified, unserved corrections officers. The parties filed objections under Federal Rule of Civil Procedure 72. The district court conducted de novo review of the portions properly objected to, adopted the report and recommendation in full, granted summary judgment on the specified claims, denied summary judgment on the excessive-force claim, and dismissed the unidentified defendants without prejudice.

DISPOSITION

other

CASES CITED

- Kava v. Peters, 450 F. App’x 470, 473 (6th Cir. 2011)
- Rockwood Auto Parts, Inc. v. Monroe County, 155 F.4th 557, 566 (6th Cir. 2025)
- Davis v. Sig Sauer, Inc., 126 F.4th 1213, 1230 (6th Cir. 2025)
- Wyatt v. Nissan N. Am., Inc., 999 F.3d 400, 410 (6th Cir. 2021)
- Thomas v. Arn, 474 U.S. 140, 154 (1985)
- Murr v. United States, 200 F.3d 895, 902 n.1 (6th Cir. 2000)
- Heyward v. Cooper, 88 F.4th 648, 657 (6th Cir. 2023)
- Hardrick v. Huss, 155 F.4th 518, 527 (6th Cir. 2025)
- Wilkins v. Gaddy, 559 U.S. 34, 34 (2010) (per curiam)
- Williams v. Curtin, 631 F.3d 380, 383 (6th Cir. 2011)
- Wilson v. Seiter, 501 U.S. 294, 298 (1991)
- Hudson v. McMillian, 503 U.S. 1, 6 (1992)
- Nash v. Bryce, 157 F.4th 436, 454 (6th Cir. 2025)

- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Akima v. Peca, 85 F.4th 416, 422 (6th Cir. 2023)
- LaPlante v. City of Battle Creek, 30 F.4th 572, 578 (6th Cir. 2022)
- Erickson v. Gogebic County, 133 F.4th 703, 710-11 (6th Cir. 2025)
- Coleman v. Legmah, No. 21-cv-3936, 2022 WL 4448983, at *6 (S.D. Ohio Sept. 23, 2022)
- August v. Caruso, No. 12-13775, 2015 WL 1299888, at *6 (E.D. Mich. Mar. 23, 2015)

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