

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, SOUTHERN DIVISION

James Barry Murphy v. Anthony Tony McCullough, et al.

Murphy v. McCullough · No. 6:25-cv-00200-GFVT · Decided June 9, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky dismissed a pro se pretrial detainee’s civil rights complaint concerning jail conditions, medical care, access to courts, grievances, and alleged disability discrimination. The court held that the plaintiff failed to state claims against the named defendants, failed to identify viable medical-care defendants, and did not adequately allege constitutional or ADA violations. The complaint was dismissed and the matter was stricken from the active docket.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Southern Division
WRITING FOR THE COURT	Gregory F. Van Tatenhove
JURISDICTION	United States District Court for the Eastern District of Kentucky, Southern Division
DECIDED	June 9, 2026
DOCKET	6:25-cv-00200-GFVT
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se pretrial detainee filed a civil rights complaint and was granted leave to proceed in forma pauperis. Before service of process, the district court screened the complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A and dismissed it for failure to state a claim.
STANDARD OF REVIEW	At mandatory screening under 28 U.S.C. §§ 1915(e)(2) and 1915A, the court accepts nonconclusory factual allegations as true and liberally construes the plaintiff's legal claims, while dismissing claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant.
PRECEDENTIAL VALUE	Unpublished district court memorandum opinion; nonprecedential
PARTIES	James Barry Murphy v. Anthony Tony McCullough, et al.

TOPICS

ada / disability

fourteenth amendment

due process

civil rights

civil procedure

PRACTICE AREAS

Civil rights

Prisoner civil rights

Disability discrimination

Constitutional law

Federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a viable constitutional claim against defendants whom Murphy did not connect to any alleged misconduct, including the jailer based only on supervisory status.
2. Whether the alleged overcrowding, uncomfortable sleeping conditions, and lack of bedding stated a constitutional conditions-of-confinement claim by a pretrial detainee.
3. Whether the alleged difference between treatment provided by jail medical staff and treatment recommended by outside physicians stated deliberate indifference to medical needs.
4. Whether the allegations concerning inability to purchase writing materials and denial of grievance appeals stated claims for denial of access to courts or violation of the PLRA or Constitution.
5. Whether the complaint stated a claim under Title II of the ADA based on alleged medical-care disagreements and claims against individual defendants.

HOLDINGS

1. A complaint fails to state a claim against defendants who are not alleged to have personally participated in the challenged conduct, and a jailer cannot be held liable solely because of supervisory status.
2. Allegations of overcrowding, uncomfortable sleeping conditions, sleeping on the floor, and temporary lack of bedding did not state a constitutional claim because they did not plausibly allege deprivation of the minimal civilized measure of life's necessities.
3. A difference of medical opinion concerning the appropriate treatment does not, without more, establish deliberate indifference to medical needs, particularly where the plaintiff received medical attention.
4. A prisoner may not recover for mental or emotional injury suffered in custody without a prior showing of physical injury or the commission of a sexual act.
5. An access-to-courts claim requires an allegation of actual injury to a specifically identified, nonfrivolous legal claim; inability to purchase pens, paper, or envelopes, without such an allegation, is insufficient.
6. The Constitution and the PLRA do not require a jail or prison to maintain a grievance procedure or to operate one in an effective or appealable manner.
7. Allegations of disagreement with medical care, without purposeful disability-based discrimination, do not state a Title II ADA claim, and Title II does not provide for individual-capacity liability against public officials.

KEY QUOTATIONS

“At this stage of the case, the Court accepts all non-conclusory factual allegations in the complaint as true and liberally construes its legal claims in the plaintiff’s favor.”

“Rhodes v. Chapman, 452 U.S. 337, 349-50 (1981). Murphy’s allegations, even liberally construed, do not suggest that the overcrowding and discomfort he experienced crossed that threshold.”

“Where a prisoner has received some medical attention and the dispute is over the adequacy of the treatment, federal courts are generally reluctant to second guess medical judgments and to constitutionalize claims which sound in state tort law.”

“Neither the statute itself nor any constitutional provision require a jail or prison to maintain a grievance process at all, let alone that it operate in an effective or workable manner.”

FACTUAL BACKGROUND

Murphy was a pretrial detainee at the Pulaski County Detention Center and alleged that he used a walker or wheelchair and had several medical conditions. He alleged that he was housed in overcrowded areas, including a visiting booth without a bathroom or running water, a converted gymnasium, and segregation where he lacked bedding for eighteen days. He also alleged inadequate medical treatment, charges for medical visits and over-the-counter medications, inability to purchase writing and hygiene supplies, denial of grievance appeals, and disability discrimination.

PROCEDURAL HISTORY

Murphy filed a complaint alleging unconstitutional conditions of confinement, inadequate medical care, denial of access to courts, grievance-process violations, and violations of the Americans with Disabilities Act. The court granted in forma pauperis status, conducted mandatory pre-service screening, and dismissed the complaint in its entirety, striking the matter from the active docket.

DISPOSITION

dismissed

CASES CITED

- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- Davis v. Prison Health Services, 679 F.3d 433, 437-38 (6th Cir. 2012)
- Sampson v. Garrett, 917 F.3d 880, 882 (6th Cir. 2019)
- Ashcroft v. Iqbal, 556 U.S. 662, 677 (2009)
- Helphenstine v. Lewis County, 60 F.4th 305, 321 (6th Cir. 2023)
- Kingsley v. Hendrickson, 576 U.S. 389 (2015)
- Brawner v. Scott County, 14 F.4th 585 (6th Cir. 2021)
- Rhodes v. Chapman, 452 U.S. 337, 349-50 (1981)
- Faiola v. County of Mahoning, No. 4:23-CV-1854, 2024 WL 1909126, at *2 (N.D. Ohio May 1, 2024)
- Jenkins v. Dillion, No. 4:24-CV-P69-JHM, 2024 WL 4447231, at *3 (W.D. Ky. Oct. 8, 2024)

- Bartlett v. Woosley, No. 4:22CV-P158-JHM, 2023 WL 4306911, at *3 (W.D. Ky. June 30, 2023)
- Umbarger v. Correctional Medical Services, 93 F. App'x 734, 736 (6th Cir. 2004)
- Westlake v. Lucas, 537 F.2d 857, 860 n.5 (6th Cir. 1976)
- Rhinehart v. Scutt, 894 F.3d 721, 744 (6th Cir. 2018)
- Brown v. Matauszak, 415 F. App'x 608, 612 (6th Cir. 2011)
- Christopher v. Harbury, 536 U.S. 403, 415 (2002)
- Argue v. Hoffmeyer, 80 F. App'x 427, 430 (6th Cir. 2003)
- Hewitt v. Helms, 459 U.S. 460, 467 (1983)
- Moore v. Diggins, 633 F. App'x 672, 677 (10th Cir. 2015)
- Centaurs v. Haslam, No. 14-5348, 2014 WL 12972238, at *1 (6th Cir. Oct. 2, 2014)
- Everson v. Leis, 556 F.3d 484, 501 n.7 (6th Cir. 2009)
- Williams v. McLemore, 247 F. App'x 1, 8 (6th Cir. 2007)

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