

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, GREENVILLE DIVISION

Daniel Paul Copple v. Vital Core, et al.

Copple v. Vital Core · No. No. 4:25-CV-69-DMB-RP · Decided May 21, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi dismissed Daniel Paul Copple’s 42 U.S.C. § 1983 claims alleging deliberately indifferent medical care for rectal cancer during his incarceration. The court held that the allegations showed ongoing medical treatment and, at most, negligence, disagreement with medical judgment, or an incorrect diagnosis, rather than deliberate indifference. The court also rejected supervisory-liability claims against MDOC officials and policy-based claims against Vital Core. The dismissal was without prejudice and counted as a strike under 28 U.S.C. § 1915(g).

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Greenville Division
WRITING FOR THE COURT	Debra M. Brown
JURISDICTION	United States District Court for the Northern District of Mississippi, Greenville Division
DECIDED	May 21, 2026
DOCKET	No. 4:25-CV-69-DMB-RP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner brought an action under 42 U.S.C. § 1983 alleging inadequate medical care in violation of the Eighth Amendment. Because he proceeded in forma pauperis, the court screened the amended complaint under the Prison Litigation Reform Act and dismissed it without prejudice for failure to state a claim.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis action that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. A complaint fails to state a claim when relief could not be granted under any set of facts proven consistently with the allegations, and the complaint must plead enough facts to state a plausible claim for relief.

PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Daniel Paul Copple v. Vital Core, Dr. Peter Ma, Burl Cain, Marc McClure, Linda Cockrell, Ykenna Burton, Dr. Antonio Costello

TOPICS

section 1983 prisoners rights cruel and unusual punishment motions to dismiss civil procedure

PRACTICE AREAS

civil rights prisoner litigation constitutional torts medical care

QUESTIONS PRESENTED

1. Whether Copple stated an Eighth Amendment claim for deliberate indifference to serious medical needs based on the alleged misdiagnosis, delay in diagnostic testing, and medical treatment.
2. Whether MDOC officials Cain and McClure could be held liable under 42 U.S.C. § 1983 based solely on their supervisory roles and alleged failure to implement or enforce adequate policies.
3. Whether Vital Core could be held liable under § 1983 absent allegations identifying an official policy or well-settled custom that caused the alleged constitutional injury.
4. Whether the allegations against the individual medical providers established deliberate indifference rather than negligence, medical malpractice, or disagreement with medical judgment.

HOLDINGS

1. Copple failed to state an Eighth Amendment claim because his allegations showed that he was repeatedly evaluated and treated, and did not plausibly show subjective deliberate indifference to a serious medical need.
2. Copple failed to state a § 1983 claim against Cain and McClure because he alleged no personal involvement in the medical-care decisions and identified no unconstitutional policy they implemented or failed to adopt.
3. Copple failed to state a § 1983 claim against Vital Core because he did not identify an official policy or well-settled custom of Vital Core that caused the alleged constitutional deprivation.

KEY QUOTATIONS

“Mere negligence, neglect or medical malpractice is insufficient, as is an incorrect diagnosis.” (IV.A)

“Consequently, a supervisory official “can be held liable only for his own misconduct.”” (IV.B)

“For the reasons above, this case is *DISMISSED* without prejudice” (V)

FACTUAL BACKGROUND

Copple, an inmate in the custody of the Mississippi Department of Corrections, experienced rectal bleeding, abdominal pain, and constipation beginning in late 2023 or early 2024. Prison medical personnel repeatedly evaluated him, performed tests, prescribed hemorrhoid medication and laxatives, and arranged specialist care, but his colonoscopy was delayed or missed several times. A colonoscopy performed on April 11, 2025, revealed rectal cancer, after which Copple alleged that treatment had not yet begun. He claimed that the defendants' misdiagnosis, delayed diagnostic care, and treatment decisions constituted deliberate indifference.

PROCEDURAL HISTORY

Copple filed his original complaint on May 27, 2025, and later provided information concerning the defendants' personal involvement after the court ordered him to do so. The court issued show-cause orders concerning dismissal for failure to state a claim, granted leave to amend, and Copple filed an amended complaint adding three defendants. After reviewing the amended complaint and Copple's response to the second show-cause order, the court dismissed the action without prejudice and assessed a strike under 28 U.S.C. § 1915(g).

DISPOSITION

dismissed

CASES CITED

- *Damond v. City of Rayville*, 127 F.4th 935, 938 (5th Cir. 2025)
- *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)
- *Bradley v. Puckett*, 157 F.3d 1022, 1025 (5th Cir. 1998)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)
- *Parker v. Hooper*, 171 F.4th 736, 755 (5th Cir. 2026)
- *Estelle v. Gamble*, 429 U.S. 97, 104 (1976)
- *Johnson v. Thaler*, 507 F. App'x 370, 371 (5th Cir. 2013)
- *Farmer v. Brennan*, 511 U.S. 825, 839-40 (1994)
- *Spikes v. Wheat*, 141 F.4th 662, 668, 666-67, 671 (5th Cir. 2025)
- *Cleveland v. Bell*, 938 F.3d 672, 676 (5th Cir. 2019)
- *Gibbs v. Grimmette*, 254 F.3d 545, 549 (5th Cir. 2001)
- *Norton v. Dimazana*, 122 F.3d 286, 292 (5th Cir. 1997)
- *Spikes v. McVea*, 8 F.4th 428, 434 (5th Cir. 2021), vacated, 12 F.4th 833 (5th Cir. 2021)
- *Domino v. Texas Department of Criminal Justice*, 239 F.3d 752, 756 (5th Cir. 2001)
- *Monell v. Department of Social Services*, 436 U.S. 658, 690-91 & n.55 (1978)
- *Woods v. Edwards*, 51 F.3d 577, 583 (5th Cir. 1995)
- *Lozana v. Smith*, 718 F.2d 756, 768 (5th Cir. 1983)
- *Wernecke v. Garcia*, 591 F.3d 386, 401 (5th Cir. 2009)
- *Carnaby v. City of Houston*, 636 F.3d 183, 189 (5th Cir. 2011)
- *Holton v. MTC*, No. 3:17-cv-485, 2018 WL 2424427, at *2 (S.D. Miss. May 29, 2018)

- Rosborough v. Management & Training Corp., 350 F.3d 459, 461 (5th Cir. 2003)
- Favre v. Harrison County, No. 1:21-cv-328, 2023 WL 4424630, at *1 (S.D. Miss. Apr. 27, 2023)
- Vardeman v. City of Houston, 55 F.4th 1045, 1052-53 (5th Cir. 2022)
- Sanchez v. Young County, 866 F.3d 274, 280 (5th Cir. 2017)
- Piotrowski v. City of Houston, 237 F.3d 567, 579 (5th Cir. 2001)

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