

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

Christopher L. Scruggs v. Sherri Washington, et al.

Scruggs · No. 3:24-cv-00138 · Decided March 10, 2026

SUMMARY

The court addresses defendants’ motion for summary judgment based on Christopher L. Scruggs’s alleged failure to exhaust administrative remedies under the Prison Litigation Reform Act. It concludes that the grievances contained sufficient information to potentially exhaust his failure-to-intervene claim, but finds a factual dispute regarding whether Scruggs properly submitted the grievances. The court denies summary judgment and refers the case for a Pavey evidentiary hearing.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	James T. Moody
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 10, 2026
DOCKET	3:24-cv-00138
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on the ground that Scruggs failed to exhaust available administrative remedies under the Prison Litigation Reform Act. The court denied summary judgment because the grievances contained sufficient information to satisfy exhaustion as to the failure-to-intervene claim, but found a material factual dispute over whether Scruggs properly submitted the grievances and referred the matter for a Pavey evidentiary hearing.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court construes the facts and draws reasonable inferences in favor of the nonmoving party. On an exhaustion motion requiring resolution of disputed facts, the court must credit the plaintiff’s evidence at the summary-judgment stage and conduct an evidentiary hearing when a material dispute remains.

PRECEDENTIAL VALUE	Unclear; federal district court opinion with no published reporter citation or stated precedential designation.
PARTIES	Christopher L. Scruggs v. Sherri Washington, Sergeant Hernandez, Sergeant Killingsworth, Officer Baity, Officer Barber

TOPICS

summary judgment prisoners rights section 1983 civil rights evidence

PRACTICE AREAS

prisoner civil rights civil procedure administrative exhaustion summary judgment

QUESTIONS PRESENTED

1. Whether Scruggs's grievance concerning the December 23, 2023 use-of-force incident contained sufficient information to exhaust his Eighth Amendment failure-to-intervene claim against Sergeant Hernandez, Sergeant Killingsworth, Officer Baity, and Officer Barber.
2. Whether the absence of the relevant grievances from prison records created a material factual dispute requiring an evidentiary hearing to determine whether Scruggs properly submitted the grievances.

HOLDINGS

1. A grievance sufficiently exhausts a claim when it provides enough information to alert prison officials to the problem and permit an investigation, even if it does not name every defendant, where the grievance and surrounding circumstances reasonably suggest the unnamed defendants' involvement. Scruggs's grievance adequately exhausted his Eighth Amendment claim that Hernandez, Killingsworth, Baity, and Barber failed to intervene when Washington tased him.
2. The absence of the relevant grievances from departmental records created a material factual dispute over whether Scruggs submitted the grievances, and that dispute required an evidentiary hearing rather than summary judgment.

KEY QUOTATIONS

“A grievance must contain enough information about who caused the grieved of problem so that a prison can properly investigate and resolve grievances.”

“As a result, the court finds that the information provided in the grievance was adequate to enable an investigation of Sergeant Hernandez, Sergeant Killingsworth, Officer Baity, or Officer Barber because it suggested that they were involved in the use of force incident and that their inclusion in such an investigation might be appropriate.”

FACTUAL BACKGROUND

Scruggs alleged that Lieutenant Washington tased him twice on December 23, 2023, after he fell and said he could not stand because of back pain, and that other correctional officers failed to intervene. He also alleged that

Sergeant Killingsworth issued a conduct report in retaliation for complaints about the handling of his legal mail. Scruggs produced handwritten copies of grievances concerning the use of force and alleged retaliation, while prison records did not contain the relevant grievances, creating a dispute over whether he properly submitted them.

PROCEDURAL HISTORY

Scruggs, an incarcerated plaintiff proceeding without counsel, brought Eighth Amendment excessive-force and failure-to-intervene claims and a First Amendment retaliation claim under 42 U.S.C. § 1983. Defendants moved for summary judgment based on failure to exhaust administrative remedies. After supplemental briefing, the court denied the motion, granted defendants' request for an evidentiary hearing, and referred the case to Magistrate Judge John E. Martin to determine whether Scruggs properly submitted grievances relating to his claims.

DISPOSITION

other

REMAND INSTRUCTIONS

The case was referred to Magistrate Judge John E. Martin to conduct an evidentiary hearing and prepare a report and recommendation under *Pavey v. Conley* concerning whether Scruggs properly submitted grievances relating to his claims.

CASES CITED

- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)
- *Heft v. Moore*, 351 F.3d 278, 282 (7th Cir. 2003)
- *Dole v. Chandler*, 438 F.3d 804, 809 (7th Cir. 2006)
- *Pozo v. McCaughtry*, 286 F.3d 1022, 1024-1025 (7th Cir. 2002)
- *King v. McCarty*, 781 F.3d 889, 893 (7th Cir. 2015)
- *Maddox v. Love*, 655 F.3d 709, 722 (7th Cir. 2011)
- *Strong v. David*, 297 F.3d 646, 649 (7th Cir. 2002)
- *Jackson v. Esser*, 105 F.4th 948, 960 (7th Cir. 2024)
- *Pavey v. Conley*, 544 F.3d 739 (7th Cir. 2008)