

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, PEORIA DIVISION

David Ayers v. Ryan Bohm, et al.

David Ayers v. Ryan Bohm et al., No. 1:26-cv-01007-MMM (C.D. Ill. May 18, 2026) · No. 1:26-cv-01007-MMM · Decided May 18, 2026

SUMMARY

The court screened a pro se incarcerated plaintiff’s complaint alleging that jail officials and medical personnel violated his constitutional rights by discontinuing Suboxone and other medications and failing to treat withdrawal symptoms. The court held that the allegations did not state a federal claim because a physician prescribed alternative medications, most of which the plaintiff refused, and other defendants could defer to the physician’s medical judgment. The court dismissed the state-law claims without prejudice and granted 28 days to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Peoria Division
JURISDICTION	United States District Court for the Central District of Illinois, Peoria Division
DECIDED	May 18, 2026
DOCKET	1:26-cv-01007-MMM
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action screened under 28 U.S.C. § 1915A on a merit review of the complaint. The court found that the complaint failed to state a federal claim, dismissed the state-law claims without prejudice, and granted Plaintiff 28 days to amend.
STANDARD OF REVIEW	At § 1915A screening, the court accepts factual allegations as true and liberally construes them in the plaintiff's favor, but dismisses claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. A complaint must contain facts stating a claim that is plausible on its face.
PRECEDENTIAL VALUE	unpublished_nonprecedential
PARTIES	David Ayers v. Ryan Bohm, Livingston County, Lisa Draper, Sherri Martin, Scott Harmon, Rod Reed, Ian Schoop, Tony Martin, Jacob

Summers, Camson Maron, Brandy Vance, Kevin Blair, Nicole Healy,
Susanna Legnerp, Nurse Megan, Nurses Doe 1 and 2, Hughes
Lochard, Turn Key

TOPICS

prisoners rights due process section 1983 civil procedure

PRACTICE AREAS

prisoner civil rights constitutional medical care federal civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff's allegations that jail personnel discontinued or failed to provide medications and ignored his withdrawal symptoms stated an objectively unreasonable medical-care claim under the Fourteenth Amendment.
2. Whether Plaintiff's refusal of prescribed alternative medications defeated or undermined his federal medical-care claim.
3. Whether the court could permit Plaintiff's state-law negligence claims to proceed in the absence of a viable federal claim.

HOLDINGS

1. The complaint failed to state a constitutional medical-care claim because the allegations showed that Plaintiff was under the care of a physician who prescribed alternative medications, and Plaintiff voluntarily refused all but one of those medications.
2. The state-law claims were dismissed without prejudice because they could not proceed in this action without an underlying federal-law claim.

KEY QUOTATIONS

"The court accepts the factual allegations as true, liberally construing them in the plaintiff's favor."

"He had no constitutional right to demand any specific form of medication, provided he was receiving appropriate medical care."

"As he was under the care of Dr. Lochard the balance of the Defendants were entitled to defer to the care of the highest-level medical professional unless the physician's care was clearly inappropriate."

FACTUAL BACKGROUND

Plaintiff alleged that jail personnel suspected him of diverting medications and stopped providing his medications, including Suboxone, which he had taken for more than a year. After his last dose on October 24, 2025, Plaintiff experienced severe withdrawal symptoms and submitted several sick-call requests. Dr. Hughes Lochard prescribed alternative medications, but Plaintiff refused all except Hydroxyzene, and Plaintiff alleged that Defendants thereafter failed to provide medication to relieve his withdrawal symptoms.

PROCEDURAL HISTORY

Plaintiff, proceeding pro se and incarcerated, filed a complaint alleging constitutionally inadequate medical care while he was a pretrial detainee at the Livingston County Jail and asserting state-law negligence claims. The district court conducted the required screening under 28 U.S.C. § 1915A. It concluded that the allegations did not state a federal claim and dismissed the state-law claims without prejudice, while allowing Plaintiff an opportunity to file an amended complaint.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Plaintiff was given 28 days to file an amended complaint. If he does not do so, the case will be dismissed without prejudice for failure to state a claim.

CASES CITED

- Kingsley v. Hendrickson, 576 U.S. 389, 397 (2015)
- Hardeman v. Curran, 933 F.3d 816, 823 (7th Cir. 2019)
- Echols v. Johnson, 105 F.4th 973, 978 (7th Cir. 2024)
- Davis v. Rook, 107 F.4th 777, 780 (7th Cir. 2024)
- Alexander v. United States, 721 F.3d 418, 422 (7th Cir. 2013)
- Burton v. Downey, 805 F.3d 776, 785 (7th Cir. 2015)
- McCann v. Ogle County, 909 F.3d 881, 888 (7th Cir. 2018)
- Berry v. Peterman, 604 F.3d 435, 440 (7th Cir. 2010)

OPINION

Ayers

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF ILLINOIS

PEORIA DIVISION

DAVID AYERS,)

) Plaintiff,)) v.) 1:26-cv-01007-MMM) RYAN BOHM, et al.,)) Defendants.)

ORDER

Plaintiff, proceeding pro se and presently incarcerated at Jacksonville Correctional Center, alleges Defendants violated his constitutional rights while he was a pretrial detainee at the Livingston County Jail. He also seeks to pursue state law negligence claims. The case is now before the Court for a merit review of the Complaint. Doc. 1. The Court must “screen” Plaintiff’s complaint, and through such process identify and dismiss any legally insufficient claim, or the entire action if

warranted. 28 U.S.C. § 1915A. A claim is legally insufficient if it “(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.” *Id.* The court accepts the factual allegations as true, liberally construing them in the plaintiff’s favor. *Turley v. Rednour*, 729 F.3d 645, 649 (7th Cir. 2013). Conclusory statements and labels are insufficient—the facts alleged must “state a claim for relief that is plausible on its face.” *Alexander v. United States*, 721 F.3d 418, 422 (7th Cir. 2013) (citation omitted). Allegations Plaintiff names as Defendants Sheriff Ryan Bohm, Livingston County, Superintendents Lisa Draper and Sherri Martin, Lt. Scott Harmon, Sgt. Rod Reed, Sgt. Ian Schoop, OIC Tony Martin, OIC Jacob Summers, Officer Camson Maron, Officer Brandy Vance, Officer Kevin Blair, Nurse Nicole Healy, Nurse Susanna Legnerp, Nurse Megan, Nurses Doe 1 and 2, Dr. Hughes Lochard, and Turn Key. On October 14, 2025, Legnerp and Vance suspected Plaintiff of diverting his medications. They decided to stop giving him his medications. On October 24, 2025, Plaintiff received his last dose of Suboxone, which he had been on for over a year before going to jail. Defendant Dr. Hughes Lochard ordered medication for Plaintiff but Plaintiff refused all but Hydroxyzene. Plaintiff experienced severe withdrawals and filed sick call requests on October 22, 26, and 27. Plaintiff asked Defendants for help regarding the severe withdrawals but was ignored. From November 6, 2025, forward, Plaintiff was denied all medications to ease his withdrawal symptoms. Medical Care Standard The Fourteenth Amendment requires objectively reasonable medical care for detainees. See *Kingsley v. Hendrickson*, 576 U.S. 389, 397 (2015); *Hardeman v. Curran*, 933 F.3d 816, 823 (7th Cir. 2019) (extending objectively unreasonable standard to detainee’s claims about conditions of confinement, including medical care). The question is whether a reasonable officer, situated as the defendant under consideration was situated, acted in an objectively reasonable way in taking, or failing to take, certain intentional actions in response to the detainee’s medical need. See *Echols v. Johnson*, 105 F.4th 973, 978 (7th Cir. 2024), reh’g denied, 2024 WL 3992502 (7th Cir. Aug. 29, 2024); *Davis v. Rook*, 107 F.4th 777, 780 (7th Cir. 2024). Application Plaintiff’s allegations do not state a claim. He alleges a ten day period from when he was suspected of diverting his medications, which included Suboxone, an opioid medication, until he took his last dose. He had no constitutional right to demand any specific form of medication, provided he was receiving appropriate medical care. *Burton v. Downey*, 805 F.3d 776, 785 (7th Cir. 2015). Dr. Hughes Lochard prescribed alternative medications, all but one of which Plaintiff refused. As he was under the care of Dr. Lochard the balance of the Defendants were entitled to defer to the care of the highest-level medical professional unless the physician’s care was clearly inappropriate. *McCann v. Ogle County*, 909 F.3d 881, 888 (7th Cir. 2018) (citing *Berry v. Peterman*, 604 F.3d 435, 440 (7th Cir. 2010) (underscoring that the law “encourages non-medical security and administrative personnel . . . to defer to the professional medical judgments of the physicians and nurses treating the prisoners in their care without fear of liability for doing so”). IT IS THEREFORE ORDERED:

1. Plaintiff’s Motion for Extension of Time to Move to Proceed in Forma

Pauperis [5] is moot.

2. Plaintiff does not state a federal claim for relief. He alleges voluntary noncompliance with physician's orders. To the extent he seeks to pursue state law claims his allegations are dismissed without prejudice, since such claims cannot proceed in this Court without an underlying federal law claim. Plaintiff has 28 days to file an amended complaint if he believes he can state a claim. If he does not do so the case will be dismissed without prejudice for failure to state a claim. Entered this 18th day of May, 2026. s/Michael M. Mihm

MICHAEL M. MIHM

UNITED STATES DISTRICT JUDGE