

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Tyron Shelton v. Unknown Sims, et al.

Shelton · No. 4:25-cv-01804 RHH · Decided December 17, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri grants Tyron Shelton’s application to proceed in forma pauperis and assesses an initial partial filing fee of \$1.00. The court orders Shelton to show cause why his 42 U.S.C. § 1983 action should not be dismissed without prejudice for failure to exhaust administrative remedies under the Prison Litigation Reform Act. The court also denies his motion for appointment of counsel without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Henry Edward Autrey
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	December 17, 2025
DOCKET	4:25-cv-01804 RHH
DISPOSITION	other
PROCEDURAL POSTURE	A self-represented prisoner brought a 42 U.S.C. § 1983 action alleging that a correctional officer and the City of St. Louis failed to protect him from an inmate assault. The court addressed his application to proceed in forma pauperis, motion for appointment of counsel, and apparent failure to exhaust administrative remedies before filing suit.
STANDARD OF REVIEW	The court applied the Prison Litigation Reform Act's mandatory exhaustion requirement and evaluated appointment of counsel under the factors governing civil cases involving indigent pro se litigants.
PRECEDENTIAL VALUE	unknown
PARTIES	Tyron Shelton v. Unknown Sims, et al.

TOPICS

prisoners rights

section 1983

civil procedure

costs

PRACTICE AREAS

prisoner civil rights

federal civil procedure

in forma pauperis proceedings

administrative exhaustion

QUESTIONS PRESENTED

1. Whether Shelton should be permitted to proceed in forma pauperis and be assessed an initial partial filing fee under 28 U.S.C. § 1915(b).
2. Whether the action appeared subject to dismissal for failure to fully exhaust available administrative remedies under the Prison Litigation Reform Act.
3. Whether appointment of counsel was warranted for the self-represented prisoner at that stage of the case.

HOLDINGS

1. The court granted Shelton's application to proceed without prepaying fees or costs and assessed an initial partial filing fee of \$1.00.
2. The court determined that the complaint appeared to show a failure to fully exhaust available administrative remedies and ordered Shelton to show cause why the action should not be dismissed without prejudice.
3. The court denied Shelton's motion for appointment of counsel without prejudice.

KEY QUOTATIONS

“No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.”

“Plaintiff's failure to comply with this Order will result in the dismissal of this action without prejudice and without further notice.”

FACTUAL BACKGROUND

Shelton, an inmate at the St. Louis City Justice Center, alleged that he told Correctional Officer Unknown Sims in early November 2025 that he feared for his safety because of threats from other inmates and requested to be moved. He alleged that on November 6, 2025, several inmates assaulted him, causing injuries to his face and neck. Shelton acknowledged that he had not filed an Institutional Resolution Request or grievance, but had submitted an Inmate Concern Form on November 8, 2025 and had not pursued any further administrative steps.

PROCEDURAL HISTORY

Shelton filed the action and an application to proceed without prepaying fees or costs. The court granted in forma pauperis status, assessed a \$1.00 initial partial filing fee, denied appointment of counsel without prejudice, and ordered Shelton to show cause within twenty-one days why the action should not be dismissed without prejudice for failure to fully exhaust administrative remedies.

DISPOSITION

other

CASES CITED

- Crawford-El v. Britton, 523 U.S. 574, 596 (1998)
- Ashley v. Dilworth, 147 F.3d 715, 716 (8th Cir. 1998)
- Henderson v. Norris, 129 F.3d 481, 484 (8th Cir. 1997)
- Booth v. Churner, 532 U.S. 731, 733-40 (2001)
- Lyon v. Krol, 305 F.3d 806, 808 (8th Cir. 2002)
- Woodford v. Ngo, 548 U.S. 81, 90 (2006)
- Johnson v. Jones, 340 F.3d 624, 627 (8th Cir. 2003)
- Irving v. Ventura, 2020 WL 5491689 (W.D. Mo. Sept. 2, 2020)
- Ward v. Smith, 721 F.3d 940, 942 (8th Cir. 2013)
- Stevens v. Redwing, 146 F.3d 538, 546 (8th Cir. 1998)
- Patterson v. Kelley, 902 F.3d 845, 850 (8th Cir. 2018)
- Phillips v. Jasper Cty. Jail, 437 F.3d 791, 794 (8th Cir. 2006)