

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Mark K. Anderson, Jr. v. State of Wisconsin and DOC-Department of
Corrections-Sgt. Rohwer

No. 3:25-cv-00938 · No. 3:25-cv-00938 · Decided January 23, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Mark K. Anderson, Jr.'s pro se prisoner civil rights complaint at the screening stage. The court concluded that the complaint improperly joined unrelated claims and defendants and failed to satisfy the Federal Rules of Civil Procedure's pleading and personal-involvement requirements. Anderson was granted until February 10, 2026, to file an amended complaint, and his motions for injunctive relief were denied as moot.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	January 23, 2026
DOCKET	3:25-cv-00938
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 screened under 28 U.S.C. §§ 1915 and 1915A. The court dismissed the complaint for failure to comply with the Federal Rules of Civil Procedure, granted leave to amend, and denied pending motions for injunctive relief as moot.
STANDARD OF REVIEW	At screening, the court accepted the allegations as true, construed the pro se complaint generously, and applied the less stringent standard applicable to pleadings drafted without counsel.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

- joinder
- pleadings
- section 1983
- civil procedure
- injunctions

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the complaint complied with Federal Rules of Civil Procedure 18 and 20 governing joinder of claims and defendants.
2. Whether the complaint satisfied Rules 8(a)(2) and 8(d) by providing a short, plain, simple, concise, and direct statement giving each defendant fair notice of the alleged violation.
3. Whether the State of Wisconsin and the Department of Corrections were proper defendants for Anderson's § 1983 damages claims.
4. Whether the complaint adequately alleged Sergeant Rohwer's personal involvement in a constitutional violation.
5. Whether Anderson's motions for injunctive relief should be granted while the complaint failed to state a claim.

HOLDINGS

1. A plaintiff may bring unrelated claims against one defendant under Rule 18, but may not join unrelated claims against multiple defendants unless Rule 20's transaction-or-occurrence and common-question requirements are satisfied.
2. A complaint must provide a short and plain statement showing entitlement to relief, and each allegation must be simple, concise, and direct so that defendants receive fair notice of the claims against them.
3. A § 1983 claim must be based on each defendant's personal involvement in the alleged constitutional violation, and the complaint must identify the conduct attributable to each individual defendant.
4. A prisoner complaint may be dismissed at screening when it is legally frivolous or malicious, fails to state a claim, or seeks damages from a defendant immune from such relief; however, the plaintiff may be given an opportunity to amend to cure pleading defects.
5. Motions for injunctive relief are moot when the complaint presently states no claim upon which relief can be granted.

KEY QUOTATIONS

“Under Rule 18, a plaintiff may bring unrelated claims against a particular defendant. But a plaintiff cannot bring unrelated claims against more than one defendant.”

“Under Rule 20, defendants may be joined in one lawsuit only if the claims against them arise out of the same transactions or occurrences and present questions of law or fact that are common to them all.”

“Federal Rule of Civil Procedure 8(a)(2) requires a complaint to include “a short and plain statement of the claim showing that the pleader is entitled to relief.””

“If Anderson fails to submit an amended complaint by the deadline set below, I will dismiss the entire case

and I will direct the clerk of court to record a “strike” against him under 28 U.S.C. § 1915(g).”

FACTUAL BACKGROUND

Anderson is incarcerated at Columbia Correctional Institution. He alleged that prison staff failed to properly treat a medical condition and failed to intervene promptly during an assault by another inmate. He named the State of Wisconsin, the Department of Corrections, and Sergeant Rohwer, but did not adequately identify the conduct of individual defendants or limit the complaint to claims arising from a common series of events.

PROCEDURAL HISTORY

Mark K. Anderson, proceeding without counsel, filed a prisoner civil-rights complaint alleging inadequate medical care and prison staff's failure to intervene in an inmate assault. After Anderson made the initial partial filing-fee payment, the district court screened the complaint and dismissed it because it improperly joined unrelated claims and defendants, failed to provide adequate factual detail, and named defendants that could not be sued for damages or were not alleged to have been personally involved. The court allowed Anderson until February 10, 2026, to file an amended complaint and denied his motions for injunctive relief as moot.

DISPOSITION

dismissed

CASES CITED

- Arnett v. Webster, 658 F.3d 742, 751 (7th Cir. 2011)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Gentry v. Duckworth, 65 F.3d 555, 561 (7th Cir. 1995)
- Paul v. Marberry, 658 F.3d 702, 705 (7th Cir. 2011)

OPINION

Mark K. Anderson, Jr. v. State of Wisconsin and DOC-Department of Corrections-Sgt. Rohwer
PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

MARK K. ANDERSON, JR.,

Plaintiff, v. OPINION and ORDER STATE OF WISCONSIN and DOC-DEPARTMENT 25-cv-938-jdp

OF CORRECTIONS-SGT. ROHWER,

Defendants. Plaintiff Mark K. Anderson, proceeding without counsel, is a prisoner at Columbia Correctional Institution. Anderson alleges that prison staff violated his rights in a variety of ways, including by failing to properly treat his medical condition and by failing to promptly intervene in an attack from another inmate. Anderson has made an initial partial payment of the filing fee as

directed by the court. The next step is for me to screen Anderson's complaint and dismiss any portion that is legally frivolous or malicious, fails to state a claim upon which relief may be granted, or asks for money damages from a defendant who by law cannot be sued for money damages. 28 U.S.C. §§ 1915 and 1915A. In doing so, I must accept his allegations as true and construe the complaint generously, holding it to a less stringent standard than formal pleadings drafted by lawyers. *Arnett v. Webster*, 658 F.3d 742, 751 (7th Cir. 2011). I will dismiss the complaint because Anderson's allegations fail to comply with the Federal Rules of Civil Procedure. I conclude that Anderson's allegations violate Federal Rules of Civil Procedure 18 and 20 by joining claims together that do not belong in the same lawsuit. Under Rule 18, a plaintiff may bring unrelated claims against a particular defendant. But a plaintiff cannot bring unrelated claims against more than one defendant. Under Rule 20, defendants may be joined in one lawsuit only if the claims against them arise out of the same transactions or occurrences and present questions of law or fact that are common to them all. *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007). Anderson's complaint contains allegations about at least two events:

(1) his lack of proper medical care and (2) staff's failure to intervene in an assault that he suffered at the hands of another inmate. Also, most of Anderson's allegations are also too vague and he doesn't properly name defendants for his claims. Federal Rule of Civil Procedure 8(a)(2) requires a complaint to include "a short and plain statement of the claim showing that the pleader is entitled to relief." Under Rule 8(d), "each allegation must be simple, concise, and direct." The primary purpose of these rules is fair notice. Because claims like these brought under 42 U.S.C. § 1983 must be based on a defendant's personal involvement in constitutional violation, see *Gentry v. Duckworth*, 65 F.3d 555, 561 (7th Cir. 1995), each individual defendant that Anderson wishes to sue in this case must be able to understand what they are alleged to have done to violate his rights. Anderson names the state of Wisconsin and Department of Corrections as defendants but he can't sue them in this type of lawsuit. He also names Sergeant Rohwer as a defendant but he doesn't explain what Rohwer did to violate his rights. Because Anderson's complaint doesn't comply with the pleading rules, I will dismiss it. But I will give him a short time to submit an amended complaint fixing these problems. In drafting his amended complaint, Anderson should be sure to:

- Identify all of the individuals who he wishes to sue in the caption of the complaint.
- Carefully consider whether he is naming proper defendants and omit defendants who did not personally cause or participate in a violation of his rights.
- Describe simply and concisely what actions he believes that each defendant took that violated his rights, using separate, numbered paragraphs.
- Limit his amended complaint to one series of events, unless the defendants are the same for multiple series of events.

If Anderson fails to submit an amended complaint by the deadline set below, I will dismiss the entire case and I will direct the clerk of court to record a "strike" against him under 28 U.S.C. § 1915(g). See *Paul v. Marberry*, 658 F.3d 702, 705 (7th Cir. 2011) ("[W]hen . . . the plaintiff is told to amend his . . . complaint and fails to do so, the proper ground of dismissal is not want of prosecution but failure to state a claim, one of the grounds in section

1915(g) for calling a strike against a prisoner plaintiff.”). Anderson also moves for injunctive relief. Dkts. 8–10; Dkt. 20. I will deny those motions as moot because Anderson doesn’t currently state any claims upon which relief can be granted.

ORDER

IT IS ORDERED that:

1. Plaintiff’s complaint, Dkt. 1, is DISMISSED.
2. Plaintiff may have until February 10, 2026, to submit an amended complaint.
3. Plaintiff’s motions for injunctive relief, Dkts. 8–10; Dkt. 20, are DENIED as moot.

Entered January 23, 2026. BY THE COURT: /s/ _____

JAMES D. PETERSON

District Judge