

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Ruben Rodriguez v. Corrections Officer Yagusic, et al.

Rodriguez · No. 9:25-CV-1606 (BKS/MJK) · Decided February 19, 2026

SUMMARY

The court accepts Ruben Rodriguez’s amended pro se Section 1983 complaint and treats it as superseding the original complaint. The court holds that Eighth Amendment excessive-force and failure-to-intervene claims against eight corrections officers, and a Fourteenth Amendment equal-protection claim against defendant White, survive sua sponte screening. The court directs issuance of summonses and service of the amended complaint.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Brenda K. Sannes
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	February 19, 2026
DOCKET	9:25-CV-1606 (BKS/MJK)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se prisoner's amended 42 U.S.C. § 1983 complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).
STANDARD OF REVIEW	The court reviewed the amended complaint sua sponte under the screening standards of 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), liberally construing the pro se pleading and accepting its factual allegations as true for purposes of screening.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court decision
PARTIES	Ruben Rodriguez v. Corrections Officer Yagusic, Southworth, Hare, Lapage, E. Lamica, R. Lamica, Leroux, White

TOPICS

- section 1983
- prisoners rights
- civil rights
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the amended pro se complaint stated claims that survived sua sponte screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).
2. Whether the allegations against the remaining correctional officers plausibly stated Eighth Amendment excessive-force and failure-to-intervene claims.
3. Whether the allegations that White used a racial slur during the assault plausibly stated a Fourteenth Amendment equal-protection claim.

HOLDINGS

1. The amended complaint sufficiently stated claims to survive sua sponte review under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).
2. The amended complaint's Eighth Amendment excessive-force and failure-to-intervene claims against Southworth, Hare, Lapage, E. Lamica, R. Lamica, J. Yagusic, Leroux, and White survived sua sponte review and required a response.
3. The amended complaint's Fourteenth Amendment equal-protection claim against White survived sua sponte review and required a response.

KEY QUOTATIONS

“the amended complaint (Dkt. No. 7) is accepted for filing and will supersede and replace the original complaint as the operative pleading” (Conclusion)

“the following Section 1983 claims SURVIVE sua sponte review and require a response” (Conclusion)

FACTUAL BACKGROUND

Rodriguez alleged that on August 4, 2023, several correctional officers assaulted him in a cell exercise pen. He alleged that defendant White called him a racial slur during the assault. The amended complaint asserted Eighth Amendment excessive-force and failure-to-intervene claims against the remaining officers and a Fourteenth Amendment equal-protection claim against White.

PROCEDURAL HISTORY

Rodriguez filed a pro se § 1983 complaint and an application to proceed in forma pauperis. The court granted IFP status, dismissed the claims against Corrections Sergeant Taraska without prejudice for failure to state a claim, and allowed the remaining claims to proceed past sua sponte screening. Rodriguez then filed an amended complaint, which omitted Taraska and reasserted claims against the remaining defendants. The court accepted the amended complaint as the operative pleading and ordered service because the specified claims survived screening.

DISPOSITION

other

CASES CITED

- Sealed Plaintiff v. Sealed Defendant, 537 F.3d 185, 191 (2d Cir. 2008)
- Morrell v. Sampson, No. 9:22-CV-713 (AMN/ML), 2024 WL 4278647, at *6 n.5 (N.D.N.Y. Sept. 24, 2024)
- Sanchez v. Nassau County, 662 F. Supp. 3d 369, 405 n.35 (E.D.N.Y. Mar. 11, 2023)
- Bradshaw v. Fletcher, 9:19-CV-0428 (BKS/TWD), 2023 WL 2863905, at *11 (N.D.N.Y. Feb. 23, 2023)
- Lebron v. Sanders, 557 F.3d 76 (2d Cir. 2009) (per curiam)

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