

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

Charles Flynn v. JB Pritzker, et al.

Charles Flynn v. JB Pritzker, et al. · No. 3:26-cv-03103-MMM · Decided May 14, 2026

SUMMARY

The court screened a pro se prisoner’s complaint alleging that Illinois Governor JB Pritzker and the Illinois Prisoner Review Board violated his Fourteenth Amendment due process rights in handling his executive clemency petition. Relying on precedent holding that there is no federal liberty or property interest in obtaining executive clemency, the court dismissed the complaint with prejudice for failure to state a claim. Leave to replead was denied, and judgment was entered for the defendants.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Springfield Division
JURISDICTION	United States District Court for the Central District of Illinois, Springfield Division
DECIDED	May 14, 2026
DOCKET	3:26-cv-03103-MMM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening dismissal of a pro se incarcerated plaintiff’s complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	At screening under 28 U.S.C. § 1915A, 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. Conclusory allegations must state a claim that is plausible on its face.
PRECEDENTIAL VALUE	unknown
PARTIES	Charles Flynn v. JB Pritzker, Illinois Prisoner Review Board

TOPICS

- clemency
- procedural due process
- due process
- civil rights
- post-conviction relief

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether an Illinois prisoner has a Fourteenth Amendment liberty or property interest in obtaining executive clemency or in having the State follow its clemency procedures.
2. Whether the complaint stated a plausible federal due process claim based on the alleged mishandling of the clemency petition.

HOLDINGS

1. An Illinois prisoner has no Fourteenth Amendment property or liberty interest in obtaining a pardon or other executive clemency because Illinois leaves the decision whether to consider and grant clemency to the Governor's complete discretion.
2. A plaintiff has no federal due process right to require Illinois to follow its procedures for considering a clemency petition, and an alleged violation of state law is not, without more, a basis for a federal civil rights action.
3. The complaint and action must be dismissed with prejudice for failure to state a claim, and leave to replead must be denied because amendment would be futile.

KEY QUOTATIONS

“There is no Fourteenth Amendment property or liberty interest in obtaining a pardon in Illinois—no substantive entitlement, in other words—and so no ground for a claim of denial of due process.” (561 F.3d at 673)

“In other words, a plaintiff has no federal right to have Illinois follow its procedures on considering clemency petition.” (Order's analysis)

“There is no plausible basis for Plaintiff's claim because it is flatly foreclosed by binding precedent.” (Order ¶ 2)

FACTUAL BACKGROUND

Charles Flynn is incarcerated at Lawrence Correctional Center after being convicted of burglary by a jury. He petitioned for executive clemency and alleged that Governor JB Pritzker and the Illinois Prisoner Review Board denied him due process in handling the petition. He sought money damages for the alleged violation.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging that Illinois officials violated his Fourteenth Amendment due process rights in handling his petition for executive clemency. The district court screened the complaint, concluded that the claim was foreclosed because there is no federal liberty or property interest in obtaining Illinois executive clemency, and dismissed the action with prejudice for failure to state a claim. Leave to replead was denied as futile, and judgment was ordered for defendants.

DISPOSITION

dismissed

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. United States, 721 F.3d 418, 422 (7th Cir. 2013)
- Bowens v. Quinn, 561 F.3d 671, 673, 675–76 (7th Cir. 2009)
- District Attorney's Office v. Osborne, 557 U.S. 52, 67–68 (2009)
- Ohio Adult Parole Authority v. Woodard, 523 U.S. 272, 283 (1998)
- Sandin v. Conner, 515 U.S. 472, 484 (1995)
- Connecticut Board of Pardons v. Dumschat, 452 U.S. 458, 464 (1981)
- Antia-Perea v. Holder, 768 F.3d 647, 660 (7th Cir. 2014)
- Guarjardo-Palma v. Martinson, 622 F.3d 801, 806 (7th Cir. 2010)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF ILLINOIS SPRINGFIELD
DIVISION CHARLES FLYNN,)) Plaintiff,)) v.) 3:26-cv-03103-MMM) JB PRITZKER, et al.
)) Defendants.) ORDER Plaintiff, proceeding pro se and presently incarcerated at Lawrence
Correctional Center, alleges Defendants violated his Fourteenth Amendment right to due process
in their handling of his petition for executive clemency.

The Court must “screen” Plaintiff’s complaint and identify and dismiss any legally insufficient claim. 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 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 – 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). Allegations Plaintiff names as Defendants Illinois Governor JB Pritzker and the Illinois Prisoner Review Board. Plaintiff was convicted of burglary by a jury.

He is in prison on that conviction. He petitioned for executive clemency. He asserts he was denied due process in the handling of his petition for executive clemency. He seeks money damages for the purported violation. Analysis Although Illinois law establishes mandatory procedures for clemency petitions, the Governor retains complete discretion in deciding when to consider the clemency petition and whether to grant the petition.

Bowens v. Quinn, 561 F.3d 671, 675–76 (7th Cir. 2009). “There is no Fourteenth Amendment property or liberty interest in obtaining a pardon in Illinois—no substantive entitlement, in other words—and so no ground for a claim of denial of due process.” *Bowens*, 561 F.3d at 673; see also *Dist. Attorney’s Office v. Osborne*, 557 U.S. 52, 67–68 (2009) (“[N]oncapital defendants do not have a liberty interest in traditional state executive clemency, to which no particular claimant is entitled as a matter of state law.”); *Ohio Adult Parole Auth. v. Woodard*, 523 U.S. 272, 283 (1998) (holding that state’s clemency procedures did not violate due process because the ultimate decision maker, the Governor, retained broad discretion in granting clemency, so there was “no substantive expectation of clemency”).

In *Woodard*, the Court found that “the availability of clemency, or the manner in which the State conduct[ed] clemency proceedings, [did] not impose ‘atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life.’” 523 U.S. at 283 (quoting *Sandin v. Conner*, 515 U.S. 472, 484 (1995); see also *Connecticut Bd. of Pardons v. Dumschat*, 452 U.S. 458, 464 (1981) (“[P]ardon and commutation decisions have not traditionally been the business of courts; as such, they are rarely, if ever, appropriate subjects for judicial review.”).

In other words, a plaintiff has no federal right to have Illinois follow its procedures on considering clemency petition. *Antia-Perea v. Holder*, 768 F.3d 647, 660 (7th Cir. 2014) (“A gubernatorial pardon is a quintessential form of discretionary relief.”); *Guarjardo-Palma v. Martinson*, 622 F.3d 801, 806 (7th Cir. 2010) (“[A] violation of state law is not a ground for a federal civil rights suit.”).

IT IS THEREFORE ORDERED: 1. Plaintiff's complaint, and this action, are dismissed with prejudice for failure to state a claim. Judgment to enter for Defendants and against Plaintiff, who takes nothing. 2. Leave to replead is denied. Amendment would be futile. There is no plausible basis for Plaintiff's claim because it is flatly foreclosed by binding precedent.

This dismissal may be found by a future court to count against Plaintiff under 28 U.S.C. § 1915(g). Entered this 14th day of May, 2026. s/Michael M. Mihm MICHAEL M. MIHM UNITED STATES DISTRICT JUDGE