

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, ROCK ISLAND DIVISION

Hubert Putney v. Curtis Parsons, et al.

Putney v. Parsons · No. 4:25-cv-04216-SEM-DJQ · Decided May 11, 2026

SUMMARY

The United States District Court for the Central District of Illinois reviewed a pro se civil detainee's complaint under 28 U.S.C. § 1915. The court allowed excessive-force and Illinois intentional-infliction-of-emotional-distress claims to proceed against the named defendants, while dismissing the inadequate-medical-care and class-of-one equal-protection theories. The order directed service and provided case-management instructions.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Rock Island Division
WRITING FOR THE COURT	Sue E. Myerscough
JURISDICTION	United States District Court for the Central District of Illinois, Rock Island Division
DECIDED	May 11, 2026
DOCKET	4:25-cv-04216-SEM-DJQ
DISPOSITION	other
PROCEDURAL POSTURE	Screening order in an in forma pauperis civil-rights action filed by a detained pro se plaintiff, entered before service of process.
STANDARD OF REVIEW	On in forma pauperis screening, the court must dismiss an action at any time if it is frivolous, malicious, or fails to state a claim. The court accepts factual allegations as true and liberally construes them in the plaintiff's favor, but conclusory statements and labels are insufficient; the allegations must state a claim that is plausible on its face.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status not stated and metadata identifies it as unknown.
PARTIES	Hubert Putney v. Curtis Parsons, Jason Chenoweth, Downs, Michael Kerr, Joshua Cleavinger, Hendricks, Erin Posey, Does

TOPICS

pleadings

civil procedure

civil rights

prisoners rights

intentional infliction of emotional distress

PRACTICE AREAS

Civil rights

Civil procedure

Torts

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated a Fourteenth Amendment excessive-use-of-force claim against the named defendants.
2. Whether the allegations concerning transportation to a hospital stated a constitutionally inadequate-medical-care claim.
3. Whether the plaintiff could proceed on a class-of-one equal-protection theory when the alleged conduct was more directly addressed by the Fourteenth Amendment excessive-force provision.
4. Whether the complaint plausibly stated an Illinois intentional-infliction-of-emotional-distress claim against the named defendants.

HOLDINGS

1. The complaint stated a claim for excessive use of force against Parsons, Chenoweth, Downs, Kerr, Cleavinger, Hendricks, the Doe defendants, and Posey.
2. The complaint did not state a constitutional claim for inadequate medical care based solely on security staff transporting Putney to the hospital instead of using an ambulance.
3. The court excluded the class-of-one equal-protection theory because the Fourteenth Amendment excessive-use-of-force provision was the more appropriate constitutional cause of action.
4. The complaint adequately stated an intentional-infliction-of-emotional-distress claim under Illinois law against each named defendant.

KEY QUOTATIONS

“Courts must dismiss cases proceeding in forma pauperis “at any time” if the action is frivolous, malicious, or fails to state a claim, even if part of the filing fee has been paid.”

“Conclusory statements and labels are insufficient—the facts alleged must “state a claim for relief that is plausible on its face.””

FACTUAL BACKGROUND

Putney alleged that on October 2, 2025, another civil detainee became physically violent toward him and that he used force in self-defense. He alleged that, after he was detained in a separate area, the named security therapy aides repeatedly struck him without justification and used chemical agents, causing significant injuries, and that at least one defendant said the attack had been ordered by Assistant Program Director Erin Posey. Putney further alleged that he was transported to a hospital by security staff rather than by ambulance and that a nurse intended to request emergency transport.

PROCEDURAL HISTORY

Putney filed an action under 42 U.S.C. § 1983 and Illinois law while detained at the Rushville Treatment and Detention Facility and proceeding in forma pauperis. The court screened the operative complaint under 28 U.S.C. § 1915 before directing service. The court allowed excessive-use-of-force and intentional-infliction-of-emotional-distress claims to proceed, excluded the additional claims and parties, and ordered service by waiver.

DISPOSITION

other

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)
- Kingsley v. Hendrickson, 135 S. Ct. 2466, 2473 (2015)
- Thayer v. Chiczewski, 705 F.3d 237, 255 (7th Cir. 2012)
- McGreal v. Village of Orland Park, 850 F.3d 308, 314 (7th Cir. 2017)

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