

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

William Elias Jacob Cross v. Long, et al.

Cross · No. 3:25-CV-17-AZ · Decided April 29, 2026

SUMMARY

The United States District Court for the Northern District of Indiana granted defendants’ motion for summary judgment in William Elias Jacob Cross’s prisoner civil-rights action. The court held that Cross failed to exhaust available administrative remedies under the Prison Litigation Reform Act because he did not correct and resubmit a grievance that improperly combined multiple issues. The court directed the clerk to enter judgment for the defendants and close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Abizer Zanzi
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	April 29, 2026
DOCKET	3:25-CV-17-AZ
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action in which defendants moved for summary judgment on the affirmative defense that Cross failed to exhaust available administrative remedies under the Prison Litigation Reform Act. Cross filed no opposition.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Facts are construed and reasonable inferences drawn in favor of the nonmoving party, but a party opposing a properly supported motion may not rely solely on pleadings. Under Federal Rule of Civil Procedure 56(e), properly unaddressed factual assertions may be treated as undisputed.
PRECEDENTIAL VALUE	unknown

TOPICS

summary judgment

prisoners rights

civil rights

civil procedure

PRACTICE AREAS

prisoner civil rights

civil procedure

administrative exhaustion

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment because Cross failed to exhaust available administrative remedies before filing his prison-conditions action.
2. Whether Cross's grievance satisfied the prison's requirement that each grievance concern only one event or issue when it listed multiple unrelated conditions and injuries.

HOLDINGS

1. Defendants were entitled to summary judgment because the undisputed record showed that Cross had available administrative remedies but did not fully exhaust them before filing suit.
2. Cross did not exhaust his claims because the grievance office properly returned his grievance as unprocessed for containing multiple issues, and Cross did not correct and resubmit it as instructed.

KEY QUOTATIONS

“Thus, because the defendants have met their burden to show Cross had available administrative remedies he did not exhaust before filing this lawsuit, summary judgment is warranted in their favor.” (Opinion and Order)

FACTUAL BACKGROUND

Cross alleged that prison officials forced him to remain for several days in a cell without lighting that was flooded with sewage and that the warden turned off electricity, leaving his unit in near-total darkness. The prison's grievance process required a formal grievance, a Level I appeal to the warden, and a Level II appeal to the Department Grievance Manager. Cross submitted one grievance listing numerous issues, including toxic water, food quality, fires, smoke inhalation, flooding, lack of lighting, and injuries; the grievance office returned it as unprocessed because it contained multiple issues and instructed him to correct and resubmit it within five business days. Cross did not resubmit it and provided no evidence of any other relevant grievance or unavailability of administrative remedies.

PROCEDURAL HISTORY

Cross brought Eighth Amendment claims concerning allegedly unsanitary, flooded, and inadequately lit prison-cell conditions and alleged damages against the warden. Defendants moved for summary judgment, submitting grievance records and an affidavit showing that Cross submitted a grievance containing multiple issues, which was returned as unprocessed with instructions to correct and resubmit it. Cross did not resubmit the grievance or oppose summary judgment. The court treated defendants' factual assertions as undisputed, granted summary judgment, directed entry of judgment for defendants, and closed the case.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Heft v. Moore, 351 F.3d 278, 282 (7th Cir. 2003)
- Goodman v. National Security Agency, Inc., 621 F.3d 651, 654 (7th Cir. 2010)
- Perez v. Wisconsin Department of Corrections, 182 F.3d 532, 535 (7th Cir. 1999)
- King v. McCarty, 781 F.3d 889, 893 (7th Cir. 2015)
- Lockett v. Bonson, 937 F.3d 1016, 1025 (7th Cir. 2019)

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