

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION

Danny Trey Crossland v. Heather Patterson, et al.

Docket No. 2:25-cv-01425 (W.D. La. Feb. 18, 2026) · No. 2:25-cv-01425 · Decided February 18, 2026

SUMMARY

This Report and Recommendation addresses a pro se prisoner’s 42 U.S.C. § 1983 claims alleging deliberate indifference to medical needs by personnel associated with the Vernon Parish Sheriff’s Office. The court concludes that the claims, arising from incidents in October 2023 and filed in September 2025, are barred by Louisiana’s applicable one-year prescriptive period. It recommends dismissal with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lake Charles Division
WRITING FOR THE COURT	Magistrate Judge LeBlanc
JURISDICTION	United States District Court for the Western District of Louisiana, Lake Charles Division
DECIDED	February 18, 2026
DOCKET	2:25-cv-01425
DISPOSITION	dismissed
PROCEDURAL POSTURE	Report and recommendation on screening of a pro se prisoner's in forma pauperis civil-rights complaint under 28 U.S.C. § 1915(e)(2).
STANDARD OF REVIEW	On in forma pauperis screening, the court may dismiss a complaint sua sponte if it is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The allegations are accepted as true when determining frivolity or failure to state a claim. A limitations bar apparent on the face of the complaint may support sua sponte dismissal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Danny Trey Crossland v. Heather Patterson, Brad Conn, Unnamed Registered Nurse at the Vernon Parish Sheriff's Office

TOPICS

section 1983

prisoners rights

statute of limitations

subject matter jurisdiction

civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

civil procedure

limitations

QUESTIONS PRESENTED

1. Whether the complaint was subject to dismissal under the in forma pauperis screening statute.
2. Whether Crossland's § 1983 claims were barred by Louisiana's one-year prescriptive period when the alleged constitutional violations occurred in October 2023 and the complaint was filed on September 16, 2025.

HOLDINGS

1. A district court may dismiss a § 1983 action sua sponte during screening when the complaint itself clearly establishes that the claims are barred by the applicable limitations period.
2. Louisiana's one-year prescriptive period applied to Crossland's claims because the alleged incidents occurred in October 2023, before Louisiana's two-year limitations period became applicable to incidents occurring on or after July 1, 2024.

KEY QUOTATIONS

“As it is clear from the face of the complaint that the alleged civil rights violation occurred nearly two years prior to the filing of the complaint, the matter is time barred and the court lacks jurisdiction to hear and determine the merits of the claim.”

FACTUAL BACKGROUND

Crossland alleged that while in the custody of the Vernon Parish Sheriff's Office, he informed medical supervisor Heather Patterson and a registered nurse about a diagnosis involving giant-cell tumors in his right knee, associated swelling and pain, and prescribed chemotherapy medication. He claimed Patterson falsely assured him that she had contacted his oncologist and that the nurse improperly declined to allow him to resume the medication. Crossland was later transferred to another correctional facility, where he stated that his medical records had been received, and he reported that he was using a wheelchair because he could not walk or bear weight on his knee.

PROCEDURAL HISTORY

Crossland filed a 42 U.S.C. § 1983 complaint on September 16, 2025, alleging that medical personnel associated with the Vernon Parish Sheriff's Office denied him treatment for a knee condition and withheld prescribed chemotherapy medication. He was granted leave to proceed in forma pauperis, and the matter was referred to the magistrate judge for screening. The report and recommendation concludes that the claims are prescribed because the alleged events occurred in October 2023 and recommends dismissal with prejudice, subject to the parties' right to object under Rule 72(b).

DISPOSITION

dismissed

CASES CITED

- Gonzalez v. Wyatt, 157 F.3d 1016, 1019 (5th Cir. 1998)
- Doe v. Dallas Indep. Sch. Dist., 153 F.3d 211, 215 (5th Cir. 1998)
- Horton v. Cockrell, 70 F.3d 397, 400 (5th Cir. 1995)
- Bradley v. Puckett, 157 F.3d at 1025
- Griffin v. Lavespere, 2025 U.S. Dist. LEXIS 86646 (W.D. La. May 6, 2025)
- Burge v. Parish of St. Tammany, 996 F.2d 786, 788 (5th Cir. 1993)
- Jackson v. Std. Mortg. Corp., 2019 U.S. Dist. LEXIS 215381, 2019 WL 6769361, at *6 (W.D. La. Dec. 11, 2019)
- Douglass v. United Services Automobile Association, 79 F.3d 1415 (5th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION DANNY TREY CROSSLAND DOCKET NO. 2:25-cv-01425 SECTION P VERSUS JUDGE JAMES D. CAIN, JR. HEATHER PATTERSON, ET AL MAGISTRATE JUDGE LEBLANC REPORT AND RECOMMENDATION Before the court is the civil rights complaints filed pursuant to 42 U.S.C. § 1983 by plaintiff Danny Trey Crossland, who is proceeding pro se and in forma pauperis in this matter.

He is currently housed at the BB Raburn Correctional Center in Angie, Louisiana. His claims arise out of incidents that occurred while he was in the custody of the Vernon Parish Sheriff's Office ("VPSO"). This matter has been referred to the undersigned for review, report, and recommendation in accordance with the provisions of 28 U.S.C. §636 and the standing orders of the Court.

I. BACKGROUND Plaintiff alleges that the named defendants, Heather Patterson, Brad Conn, and an Unnamed Registered Nurse at the VPSO, denied him medical treatment in violation of his 8th and 14th Amendment rights. Specifically, plaintiff contends he notified the medical supervisor, Heather Patterson, about a diagnosis of "PVNS" in his right knee, which he defines as "giant cell tumors" for which he is prescribed chemotherapy medication from his oncologist.

Doc. 1, p. 4. He gave Patterson his oncologist's name and address and communicated with her numerous times about the tumors growing back, the swelling in his knee, and his constant pain. Id. However, despite her assurance that she contacted plaintiff's physician to get plaintiff's medical records, plaintiff is "very confident she never faxed [his] oncologist and was lying to [him] the whole time." Id. at p. 5.

Plaintiff also saw a registered nurse at VPSO regarding his knee. He told the nurse that he needed to get back on his chemotherapy medications. However, the nurse told him that “taking chemo meds lowers your body’s ability to fight off infection and that jail is like a breeding ground for infection and he wanted to try other treatment.” *Id.* Plaintiff argues that taking him off the chemotherapy medication was “a decision for me to make for myself not for him to make for me...” *Id.* Plaintiff has since been transferred to the BB Rayburn Correctional Center, where he states that the medical department has received his records.

He is presently in a wheelchair because he cannot walk or put weight on his knee. *Id.* II. LAW AND ANALYSIS A. Frivolity Review Crossland has been granted leave to proceed in forma pauperis in this matter. Accordingly, his complaint is subject to screening under 28 U.S.C. § 1915(e)(2), which provides for sua sponte dismissal of the complaint or any portion thereof if the court determines that it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief.

28 U.S.C. § 1915(e)(2)(B)(i)–(iii). A complaint is frivolous if it lacks an arguable basis in law or fact. *Gonzalez v. Wyatt*, 157 F.3d 1016, 1019 (5th Cir. 1998). A complaint fails to state a claim upon which relief may be granted if it is clear the plaintiff cannot prove any set of facts in support of his claim that would entitle him to relief. *Doe v. Dallas Indep.*

Sch. Dist., 153 F.3d 211, 215 (5th Cir. 1998). When determining whether a complaint is frivolous or fails to state a claim upon which relief may be granted, the court must accept the plaintiff’s allegations as true. *Horton v. Cockrell*, 70 F.3d 397, 400 (5th Cir. 1995) (frivolity); *Bradley v. Puckett*, 157 F.3d at 1025 (failure to state a claim). B. Prescription Plaintiff filed the instant suit on September 16, 2025.

His complaint states that “all this happened around October of 2023.” Doc. 1, p. 5. Rule 12(h)(3) states that “[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.” See *Griffin v. Lavespere*, 2025 U.S. Dist. LEXIS 86646 (W.D. La. May 6, 2025).

In cases brought pursuant to Section 1983, federal courts look to state statutes of limitations to determine the applicable limitations periods. *Burge v. Parish of St. Tammany*, 996 F.2d 786, 788 (5th Cir. 1993) (citations omitted). Louisiana’s one-year prescriptive period applies to this case.¹ “Although the expiration of a statute of limitations (or prescription in Louisiana parlance) is an affirmative defense, a district court is authorized to dismiss a case upon the motion of a litigant or sua sponte when it is clear from the face of the complaint that the claims asserted are barred by the applicable statute of limitations.” *Id.* (citing *Jackson v. Std.*

Mortg. Corp., 2019 U.S. Dist. LEXIS 215381, 2019 WL 6769361 at *6 (W.D. La. Dec. 11, 2019)). As it is clear from the face of the complaint that the alleged civil rights violation occurred nearly

two years prior to the filing of the complaint, the matter is time barred and the court lacks jurisdiction to hear and determine the merits of the claim. 1 Louisiana adopted a two-year statute of limitations which applies to incidents occurring on or after July 1, 2024.

The two-year prescriptive period is not applicable here as the alleged incidents occurred in October 2023. See Griffin, supra, at *1, FN1. Wl. CONCLUSION Therefore, IT IS RECOMMENDED that the above civil rights matter be DISMISSED WITH PREJUDICE.

Under the provisions of 28 U.S.C. Section 636(b)(1)(C) and Rule 72(b), parties aggrieved by this recommendation have fourteen (14) days from service of this report and recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen (14) days after being served with a copy of any objections or response to the district judge at the time of filing.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed.R.Civ.P. 6(b), shall bar an aggrieved party from attacking either the factual findings or the legal conclusions accepted by the District Court, except upon grounds of plain error.

See, Douglass v. United Services Automobile Association, 79 F.3d 1415 (Sth Cir. 1996). THUS DONE AND SIGNED in chambers this 18" day of February, 2026. a INK UNITED SPATES MAGISTRATE JUDGE