

U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT

Jonathan DiFraia v. Kevin Ransom

No. 24-2673 (3d Cir. Mar. 31, 2026) · No. 24-2673 · Decided March 31, 2026

SUMMARY

The U.S. Court of Appeals for the Third Circuit affirmed dismissal of Jonathan DiFraia’s Eighth Amendment and Americans with Disabilities Act claims arising from his removal from a prison medication-assisted treatment program after officials suspected him of diverting Suboxone. The court held that the allegations did not plausibly establish deliberate indifference or ADA causation. It vacated dismissal of his Pennsylvania negligence claim and remanded because intervening Supreme Court precedent abrogated the circuit precedent requiring a certificate of merit in federal court.

CASE DETAILS

COURT	U.S. Court of Appeals for the Third Circuit
WRITING FOR THE COURT	BIBAS, Circuit Judge; PORTER, Circuit Judge; BOVE, Circuit Judge
JURISDICTION	U.S. Court of Appeals for the Third Circuit
DECIDED	March 31, 2026
DOCKET	24-2673
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from the dismissal of a pro se prisoner's claims under the Eighth Amendment, Title II of the Americans with Disabilities Act, and state-law negligence.
STANDARD OF REVIEW	De novo review, construing the pro se complaint liberally.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Jonathan DiFraia v. Kevin Ransom, Superintendent, Jasen Bohinski, Deputy Superintendent for Centralized Services, Dr. Timothy Kross, Wayne Inniss, Corrections Classification Program Manager, Rawlings, Drug and Alcohol Treatment Specialist, et al.

TOPICS

- prisoners rights
- cruel and unusual punishment
- ada / disability
- section 1983
- negligence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether DiFraia plausibly alleged that prison officials were deliberately indifferent to serious medical needs in violation of the Eighth Amendment.
2. Whether removing DiFraia from the Medication Assisted Treatment program because he was accused of diverting Suboxone violated Title II of the Americans with Disabilities Act.
3. Whether the District Court properly dismissed DiFraia's Pennsylvania negligence claim for failure to file a certificate of merit under Pennsylvania Rule of Civil Procedure 1042.3.

HOLDINGS

1. DiFraia failed to state an Eighth Amendment claim because his allegations showed, at most, a disagreement with prison officials' medical judgment and did not plausibly establish subjective deliberate indifference to a serious medical need.
2. DiFraia failed to state a Title II ADA claim because he did not plausibly allege that his disability was the but-for cause of his exclusion from the treatment program or that denial of Suboxone was a failure to provide a reasonable accommodation.
3. The District Court improperly dismissed the state-law negligence claim under Pennsylvania Rule of Civil Procedure 1042.3 because controlling precedent requiring application of that state certificate-of-merit rule in federal court had been abrogated by the Supreme Court.

KEY QUOTATIONS

“A prison official must be at least subjectively reckless. That means he “must consciously disregard a substantial risk of serious harm” to the prisoner.” (6)

“But the Eighth Amendment does not ban mistakes, let alone judgment calls.” (12)

“Because the District Court dismissed the state-law negligence claim under Liggon-Redding without otherwise passing on it, we will vacate and remand to let it address that claim’s merits in the first instance.” (16)

FACTUAL BACKGROUND

DiFraia, a Pennsylvania state prisoner with opioid addiction, received Suboxone through the prison's Medication Assisted Treatment program. After guards twice accused him of diverting medication, prison officials removed him from the program, and Dr. Kross tapered his Suboxone over seven days rather than stopping it abruptly. DiFraia alleged withdrawal symptoms, mental-health effects, and negligence, but did not allege that officials consciously disregarded a medically necessary treatment or excluded him because of his addiction.

PROCEDURAL HISTORY

DiFraia sued Pennsylvania prison officials and Dr. Timothy Kross, alleging deliberate indifference to medical needs, discrimination under the ADA, and negligence after he was removed from a medication-assisted-

treatment program for allegedly diverting Suboxone. The U.S. District Court for the Middle District of Pennsylvania dismissed the federal claims and dismissed the state-law negligence claim for failure to file a Pennsylvania certificate of merit. The Third Circuit affirmed dismissal of the federal claims, vacated dismissal of the negligence claim, and remanded for consideration of that claim on the merits.

DISPOSITION

other

REMAND INSTRUCTIONS

Vacate the dismissal of the state-law negligence claim and remand for the District Court to address that claim's merits in the first instance. The dismissal of the Eighth Amendment and ADA claims is affirmed.

CASES CITED

- Haines v. Kerner, 404 U.S. 519, 520-21 (1972) (per curiam)
- Vorchheimer v. Phila. Owners Ass'n, 903 F.3d 100, 105 (3d Cir. 2018)
- Helling v. McKinney, 509 U.S. 25, 38, 40 (1993) (Thomas, J., dissenting)
- Baze v. Rees, 553 U.S. 35, 98 (2008) (Thomas, J., concurring in the judgment)
- Harmelin v. Michigan, 501 U.S. 957, 969-74 (1991) (opinion of Scalia, J.)
- Louisiana ex rel. Francis v. Resweber, 329 U.S. 459, 463 (1947) (plurality opinion)
- Estelle v. Gamble, 429 U.S. 97, 103, 105 (1976)
- Rhodes v. Chapman, 452 U.S. 337, 347 (1981)
- Hope v. Pelzer, 536 U.S. 730, 738 (2002)
- Brawner v. Scott County, 18 F.4th 551, 555-56 (6th Cir. 2021) (Readler, J., dissenting from denial of rehearing en banc)
- Palakovic v. Wetzel, 854 F.3d 209, 223-24 (3d Cir. 2017)
- Farmer v. Brennan, 511 U.S. 825, 835-37, 839 (1994)
- White v. Napoleon, 897 F.2d 103, 108-11 (3d Cir. 1990)
- Keohane v. Fla. Dep't of Corr. Sec'y, 952 F.3d 1257, 1277 (11th Cir. 2020)
- Pearson v. Prison Health Serv., 850 F.3d 526, 534-35 (3d Cir. 2017)
- Foelker v. Outagamie County, 394 F.3d 510, 511-13 (7th Cir. 2005)
- Inmates of Allegheny Cnty. Jail v. Pierce, 612 F.2d 754, 761-63 (3d Cir. 1979)
- Monmouth Cnty. Corr. Inst. Inmates v. Lanzaro, 834 F.2d 326, 346-47 (3d Cir. 1987)
- Rouse v. Plantier, 182 F.3d 192, 197 (3d Cir. 1999)
- Durham v. Kelley, 82 F.4th 217, 228, 230 (3d Cir. 2023)
- Hartsfield v. Colburn, 371 F.3d 454, 456-57 (8th Cir. 2004)
- Archer v. Dutcher, 733 F.2d 14, 17 (2d Cir. 1984)
- Durmer v. O'Carroll, 991 F.2d 64, 68 & n.10 (3d Cir. 1993)

- Colwell v. Bannister, 763 F.3d 1060, 1063, 1084 (9th Cir. 2014)
- Roe v. Elyea, 631 F.3d 843, 863 & n.17 (7th Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 680-81 (2009)
- CG v. Pa. Dep't of Educ., 734 F.3d 229, 235-36 (3d Cir. 2013)
- Montanez v. Price, 154 F.4th 127, 145, 147 (3d Cir. 2025)
- Furgess v. Pa. Dep't of Corr., 933 F.3d 285, 291 (3d Cir. 2019)
- Smith v. Aroostook County, 376 F. Supp. 3d 146, 159 (D. Me. 2019)
- Berardelli v. Allied Servs. Inst. of Rehab. Med., 900 F.3d 104, 116 (3d Cir. 2018)
- Liggon-Redding v. Estate of Sugarman, 659 F.3d 258, 264-65 (3d Cir. 2011)
- Berk v. Choy, 607 U.S. ___, 146 S. Ct. 546, 557 (2026)