

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Deago Ray Pioterek v. Dale Bonn et al.

No. 1:25-cv-1550 (W.D. Mich. Dec. 2, 2025) · No. 1:25-cv-1550 · Decided December 2, 2025

SUMMARY

The United States District Court for the Western District of Michigan dismissed a state prisoner’s 42 U.S.C. § 1983 action for failure to state a claim. The court rejected official-capacity claims as barred by Eleventh Amendment immunity, dismissed supervisory-liability claims against the warden, found no protected conduct supporting the alleged First Amendment retaliation claim, and dismissed property-deprivation claims based on available state post-deprivation remedies. The court also certified that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Hala Y. Jarbou
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 2, 2025
DOCKET	1:25-cv-1550
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner filed a pro se civil-rights action under 42 U.S.C. § 1983. After granting leave to proceed in forma pauperis, the court conducted the screening review required by the Prison Litigation Reform Act and dismissed the complaint for failure to state a claim.
STANDARD OF REVIEW	On screening under the Prison Litigation Reform Act, the court accepts well-pleaded allegations as true, reads a pro se complaint indulgently, and dismisses claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The complaint must contain sufficient factual matter to state a plausible claim for relief under the Twombly/Iqbal standard.
PRECEDENTIAL VALUE	Unpublished district-court opinion; precedential status unknown

TOPICS

prisoners rights

section 1983

motions to dismiss

eleventh amendment immunity

first amendment

PRACTICE AREAS

civil rights

prisoner litigation

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civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the official-capacity claims for monetary damages were barred because the Michigan Department of Corrections and its officials in their official capacities are not suable persons under § 1983 and are protected by Eleventh Amendment immunity.
2. Whether the complaint stated a personal-capacity supervisory-liability claim against the warden based solely on his alleged oversight of the facility.
3. Whether Plaintiff stated a First Amendment retaliation claim based on the packing and alleged mishandling of his property after he broke a prison sprinkler.
4. Whether Plaintiff stated Fifth or Fourteenth Amendment due-process claims based on the alleged deprivation or mishandling of his property.

HOLDINGS

1. The complaint failed to state a § 1983 claim for monetary damages against the defendants in their official capacities because those claims are treated as claims against the Michigan Department of Corrections and the State, which are immune under the Eleventh Amendment and are not persons subject to suit for damages under § 1983.
2. The complaint failed to state a personal-capacity § 1983 claim against Warden Bonn because it alleged only that he was the facility's overseer and did not allege that he encouraged, directly participated in, authorized, approved, or knowingly acquiesced in the alleged misconduct.
3. The complaint failed to state a First Amendment retaliation claim because Plaintiff admitted that he broke the sprinkler, which violated a legitimate prison regulation and therefore was not protected conduct.
4. The Fifth Amendment claims failed because the defendants were state actors, and any construed Fourteenth Amendment procedural-due-process claims failed under Parratt because Michigan provided an adequate post-deprivation remedy and Plaintiff did not plead that available state remedies were inadequate.

KEY QUOTATIONS

“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”

“A plaintiff must plead that each Government-official defendant, through the official’s own individual actions, has violated the Constitution.”

“if a prisoner violates a legitimate prison regulation, he is not engaged in ‘protected conduct,’ and cannot proceed beyond step one.”

FACTUAL BACKGROUND

Plaintiff, a Michigan prisoner housed at the Ionia Correctional Facility, broke the sprinkler in his segregation cell on January 28, 2025. After he was removed from the cell, Defendant Allen packed Plaintiff's property, allegedly taking a clear trash bag containing property into an officers' breakroom. Following Plaintiff's transfer to another facility, he was told that he had no paper property or segregation allowables, which Plaintiff alleged was false. Plaintiff sought monetary damages from the warden and two correctional officers.

PROCEDURAL HISTORY

Plaintiff sued Michigan Department of Corrections officials in their official and personal capacities, alleging that prison officials mishandled his property and violated the First, Fifth, and Fourteenth Amendments. The district court screened the complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A and 42 U.S.C. § 1997e(c), dismissed all claims, and certified that an appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Denton v. Hernandez, 504 U.S. 25, 33 (1992)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Ashcroft v. Iqbal, 556 U.S. 662, 676, 678-79 (2009)
- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Street v. Corr. Corp. of Am., 102 F.3d 810, 814 (6th Cir. 1996)
- Albright v. Oliver, 510 U.S. 266, 271 (1994)
- Will v. Mich. Dep't of State Police, 491 U.S. 58, 66, 71 (1989)
- Matthews v. Jones, 35 F.3d 1046, 1049 (6th Cir. 1994)
- Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 98-101 (1984)
- Alabama v. Pugh, 438 U.S. 781, 782 (1978)
- O'Hara v. Wigginton, 24 F.3d 823, 826 (6th Cir. 1994)
- Quern v. Jordan, 440 U.S. 332, 341 (1979)
- Abick v. Michigan, 803 F.2d 874, 877 (6th Cir. 1986)
- Lapidus v. Bd. of Regents, 535 U.S. 613, 617 (2002)
- Monell v. Dep't of Soc. Servs., 436 U.S. 658, 691 (1978)

- *Everson v. Leis*, 556 F.3d 484, 495 (6th Cir. 2009)
- *Grinter v. Knight*, 532 F.3d 567, 576 (6th Cir. 2008)
- *Greene v. Barber*, 310 F.3d 889, 899 (6th Cir. 2002)
- *Summers v. Leis*, 368 F.3d 881, 888 (6th Cir. 2004)
- *Shehee v. Luttrell*, 199 F.3d 295, 300 (6th Cir. 1999)
- *Peatross v. City of Memphis*, 818 F.3d 233, 242 (6th Cir. 2016)
- *Copeland v. Machulis*, 57 F.3d 476, 479-81 (6th Cir. 1995)
- *Thaddeus-X v. Blatter*, 175 F.3d 378, 394-95 (6th Cir. 1999) (en banc)
- *Smith v. Campbell*, 250 F.3d 1032, 1037 (6th Cir. 2001)
- *Mount Healthy City Sch. Dist. Bd. of Educ. v. Doyle*, 429 U.S. 274, 287 (1977)
- *Lockett v. Suardini*, 526 F.3d 866, 874 (6th Cir. 2008)
- *Caffey v. Maue*, 679 F. App'x 487 (7th Cir. 2017)
- *Scott v. Clay Cnty., Tenn.*, 205 F.3d 867, 873 n.8 (6th Cir. 2000)
- *Parratt v. Taylor*, 451 U.S. 527, 541-44 (1981), overruled in part by *Daniels v. Williams*, 474 U.S. 327 (1986)
- *Daniels v. Williams*, 474 U.S. 327 (1986)
- *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997)
- *Coppedge v. United States*, 369 U.S. 438, 445 (1962)

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