

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

Lawrence Hamby v. State of Iowa

Hamby v. State of Iowa · No. No. 24-3548 · Decided August 3, 2026

SUMMARY

The Eighth Circuit reviewed summary judgment against Lawrence Hamby, an incarcerated practitioner of Hasidic Judaism, concerning claims under RLUIPA and 42 U.S.C. § 1983. The court held that Iowa had consented to RLUIPA suits for prospective relief, that factual issues existed regarding exhaustion and the availability of administrative remedies, and that certain prospective-relief claims were not moot. The court reversed in part, affirmed in part, and remanded for further proceedings, including consideration of qualified immunity.

CASE DETAILS

COURT	United States Court of Appeals for the Eighth Circuit
WRITING FOR THE COURT	Grasz, Circuit Judge; Loken, Circuit Judge; Gruender, Circuit Judge
JURISDICTION	United States Court of Appeals for the Eighth Circuit
DECIDED	August 3, 2026
DOCKET	No. 24-3548
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the grant of summary judgment to the State of Iowa, the Iowa Department of Corrections, and IDOC officials in an action under RLUIPA and 42 U.S.C. § 1983.
STANDARD OF REVIEW	The grant of summary judgment was reviewed de novo, with the evidence viewed in the light most favorable to the nonmoving party and all reasonable inferences drawn in that party's favor. The court also reviewed the magistrate judge's recommendation de novo.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Lawrence Hamby v. State of Iowa, Iowa Department of Corrections, Statewide Religion Review Committee, Iowa State Penitentiary, Chaplain's Office, Beth Skinner, Ken Pirc, Chris Tripp, Charles Marmor, Mike Schierbrock

TOPICS

prisoners rights

section 1983

summary judgment

sovereign immunity

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PRACTICE AREAS

Prisoner civil rights

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QUESTIONS PRESENTED

1. Whether sovereign immunity barred Hamby's RLUIPA claims for prospective relief against IDOC.
2. Whether the district court improperly granted summary judgment on failure-to-exhaust grounds by discounting Hamby's declaration regarding his efforts to appeal his grievances and accommodation request.
3. Whether Hamby's transfer to another correctional facility mooted his claims for prospective relief against IDOC officials with statewide authority.
4. Whether Hamby's § 1983 damages claims based on Grievance Nos. 188 and 241 were barred by the statute of limitations, including whether the continuing-violation theory applied.
5. Whether the Eighth Circuit should affirm on qualified-immunity grounds when the district court had not addressed that defense.

HOLDINGS

1. Sovereign immunity did not bar Hamby's RLUIPA claims for prospective relief against IDOC because Iowa consented to suit under RLUIPA as a condition of receiving federal prison funds.
2. The district court erred by discounting Hamby's declaration and granting summary judgment for failure to exhaust because the declaration was sufficiently specific and created a genuine issue concerning whether IDOC's grievance process was available and whether Hamby was thwarted from using it.
3. Hamby's transfer did not moot his prospective-relief claims against Pirc and Skinner to the extent the challenged conditions allegedly persisted at Newton and those officials had statewide authority; however, claims concerning the changed candle policy, the past theft of cottage cheese, and the merits-deficient religious-funds grievance were properly dismissed.
4. The claims based on Grievance No. 188 were time barred, but the claims based on Grievance No. 241 were not necessarily time barred because the alleged denial of a mikveh could constitute a continuing violation.
5. The Eighth Circuit declined to resolve the IDOC officials' qualified-immunity defense because the district court had not addressed it and the appellate court is a court of review rather than first view.

KEY QUOTATIONS

"If true, Hamby's declaration would excuse Hamby's 15 grievances from the exhaustion requirement because either IDOC's religious grievance process was operating as a dead end or Hamby was thwarted from using it." (at 6)

“In doing so, it “credited the evidence of the party seeking summary judgment and failed properly to acknowledge key evidence offered by the party opposing that motion.”” (at 7)

“A record keeper’s declaration that a prisoner did not exhaust a grievance is insufficient to establish non-exhaustion as a matter of law when the prisoner makes sworn assertions that he took the necessary steps to exhaust.” (at 8)

“The “heavy” burden of proving mootness falls on the” prison officials asserting that a transfer has mooted a prisoner’s claims.” (at 9)

“Upon remand, we direct the district court to further evaluate all claims and defenses consistent with this opinion.” (at 12)

FACTUAL BACKGROUND

Lawrence Hamby, an adherent of Hasidic Judaism, was incarcerated at the Iowa State Penitentiary from June 2009 until his transfer to Newton Correctional Facility in February 2023. Between October 2017 and December 2021, he submitted twenty religious grievances and a religious accommodation request concerning IDOC's alleged interference with his religious exercise, including restrictions on open-flame candles and access to a mikveh. IDOC's religious coordinator denied ten grievances and the accommodation request, while marking ten grievances as untimely, improper, or incomplete. Hamby asserted that he appealed or attempted to appeal the grievances and accommodation request, but IDOC personnel failed to process or forward some appeals.

PROCEDURAL HISTORY

Hamby filed suit in the United States District Court for the Southern District of Iowa asserting RLUIPA claims against IDOC and First and Fourteenth Amendment claims under § 1983 against Iowa, IDOC, and IDOC officials. After discovery, the defendants moved for summary judgment. The magistrate judge recommended judgment for defendants based on sovereign immunity, failure to exhaust, mootness, statute of limitations, and lack of merit; the district court reviewed the recommendation de novo, adopted it, and entered summary judgment. The Eighth Circuit affirmed in part, reversed in part, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The district court must further evaluate the surviving RLUIPA and § 1983 claims and all defenses, including qualified immunity, consistent with the opinion. The court must address the genuine factual dispute concerning exhaustion, the claim-specific mootness issues, and the continuing-violation statute-of-limitations issue concerning Grievance No. 241.

CASES CITED

- Onyiah v. St. Cloud State University, 5 F.4th 926, 930 (8th Cir. 2021)
- Erickson v. Nationstar Mortgage, LLC, 31 F.4th 1044, 1047-48 (8th Cir. 2022)

- *Torgerson v. City of Rochester*, 643 F.3d 1031, 1042 (8th Cir. 2011) (en banc)
- *Avenoso v. Reliance Standard Life Insurance Co.*, 19 F.4th 1020, 1024 (8th Cir. 2021)
- *Great Plains Real Estate Development, L.L.C. v. Union Central Life Insurance Co.*, 536 F.3d 939, 943-44 (8th Cir. 2008)
- *Cunningham v. Kahler*, 171 F.4th 1115, 1118-19 (8th Cir. 2026)
- *Church v. Missouri*, 913 F.3d 736, 742 (8th Cir. 2019)
- *Grant v. City of Blytheville*, 841 F.3d 767, 770, 772 n.3 (8th Cir. 2016)
- *Van Wyhe v. Reisch*, 581 F.3d 639, 652 n.4, 653 (8th Cir. 2009)
- *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board*, 527 U.S. 666, 670 (1999)
- *Missourians for Fiscal Accountability v. Klahr*, 830 F.3d 789, 793 (8th Cir. 2016)
- *Sossamon v. Texas*, 563 U.S. 277, 288 (2011)
- *English v. Payne*, 720 F. App'x 810, 810-11 (8th Cir. 2018)
- *Hammett v. Cofield*, 681 F.3d 945, 947 (8th Cir. 2012)
- *Perttu v. Richards*, 605 U.S. 460, 464-65 (2025)
- *Ross v. Blake*, 578 U.S. 632, 638, 643-44 (2016)
- *Foulk v. Charrier*, 262 F.3d 687, 697-98 (8th Cir. 2001)
- *Tolan v. Cotton*, 572 U.S. 650, 659 (2014)
- *Lujan v. National Wildlife Federation*, 497 U.S. 871, 888, 902 (1990)
- *Boyd v. Doe*, 746 F. App'x 599, 600 (8th Cir. 2018)
- *Conner v. Doe*, 285 F. App'x 304, 304 (8th Cir. 2008)
- *Conolly v. Clark*, 457 F.3d 872, 876 (8th Cir. 2006)
- *Stewart v. Rise, Inc.*, 791 F.3d 849, 860-61 (8th Cir. 2015)
- *Wilson v. Miller*, 821 F.3d 963, 970 (8th Cir. 2016)
- *Scott v. Harris*, 550 U.S. 372, 380 (2007)
- *Johnson v. Jones*, 340 F.3d 624, 627 (8th Cir. 2003)
- *Dalton v. JJSC Properties, LLC*, 967 F.3d 909, 913 (8th Cir. 2020)
- *In re Gretter Autoland, Inc.*, 864 F.3d 888, 891 (8th Cir. 2017)
- *Smith v. Hundley*, 190 F.3d 852, 855 (8th Cir. 1999)
- *Randolph v. Rodgers*, 170 F.3d 850, 856-57 (8th Cir. 1999)
- *Kennedy Building Associates v. Viacom, Inc.*, 375 F.3d 731, 745 (8th Cir. 2004)
- *County of Los Angeles v. Davis*, 440 U.S. 625, 631 (1979)
- *Powell v. McCormack*, 395 U.S. 486, 497 (1969)
- *Diamond Alternative Energy, LLC v. EPA*, 606 U.S. 100, 110-12 (2025)
- *Frost v. Sioux City*, 920 F.3d 1158, 1161-62 (8th Cir. 2019)
- *Rassier v. Sanner*, 996 F.3d 832, 836 (8th Cir. 2021)
- *McDonough v. Smith*, 588 U.S. 109, 115 (2019)
- *Soto v. Sweetman*, 882 F.3d 865, 870-71 (9th Cir. 2018)

- *Midwestern Machinery Co. v. Northwest Airlines, Inc.*, 392 F.3d 265, 269 (8th Cir. 2004)
- *Montin v. Estate of Johnson*, 636 F.3d 409, 410-11, 415-16 (8th Cir. 2011)
- *Morgan v. Trierweiler*, 67 F.4th 362, 369-71 (6th Cir. 2023)
- *Iowa Migrant Movement for Justice v. Bird*, 157 F.4th 904, 930 (8th Cir. 2025)
- *Moran v. Clarke*, 296 F.3d 638, 650 n.6 (8th Cir. 2002) (en banc)
- *Manuel v. City of Joliet*, 580 U.S. 357, 369 (2017)

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