

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Jan Gawlik v. Strom, et al.

Gawlik v. Strom, No. 3:21-cv-743 (OAW) (D. Conn. June 23, 2026) · No. 3:21-cv-743 (OAW) · Decided June 23, 2026

SUMMARY

The United States District Court for the District of Connecticut granted Defendants’ motion for summary judgment in Jan Gawlik’s First Amendment retaliation action. Gawlik alleged that Connecticut Department of Correction officials charged him for printouts and photocopies in retaliation for lawsuits he had filed. The court concluded that, although Gawlik exhausted his administrative remedies, he failed to show a causal connection between the copying charges and his protected litigation activity.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Omar A. Williams
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	June 23, 2026
DOCKET	3:21-cv-743 (OAW)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 First Amendment retaliation claim alleging that Department of Correction officials charged him for printouts and photocopies in retaliation for lawsuits he filed against DOC officials. Defendants moved for summary judgment, asserting failure to exhaust administrative remedies, failure to establish retaliation, and qualified immunity. The court granted the motion.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law. The court must resolve ambiguities and draw permissible factual inferences in favor of the nonmoving party, but conclusory allegations and unsubstantiated speculation are insufficient.
PRECEDENTIAL VALUE	unpublished district court order; persuasive only
PARTIES	Jan Gawlik v. Strom, et al.

TOPICS

summary judgment

prisoners rights

first amendment

section 1983

civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

QUESTIONS PRESENTED

1. Whether Defendants waived or otherwise failed to preserve the PLRA exhaustion defense by not raising it in an earlier dispositive motion when the court expressly invited an early exhaustion motion.
2. Whether Plaintiff exhausted available administrative remedies despite not naming every Defendant and not using the word "retaliate" in his grievances.
3. Whether Plaintiff produced sufficient evidence to create a genuine dispute that charging him for printouts and photocopies was an adverse action causally connected to his protected filing of lawsuits.
4. Whether Defendants were entitled to summary judgment on Plaintiff's First Amendment retaliation claim.

HOLDINGS

1. Plaintiff exhausted his administrative remedies because his grievances identified the challenged charges and requested relief, and the PLRA and applicable prison directives did not require him to name every defendant or state the defendants' alleged retaliatory motive.
2. A First Amendment retaliation claim requires protected speech or conduct, adverse action, and a causal connection between the protected activity and the adverse action.
3. Defendants were entitled to summary judgment because Plaintiff presented no evidence from which a reasonable jury could find that the copy charges were causally related to his protected litigation activity.

KEY QUOTATIONS

"A motion for summary judgment may be granted only where there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law." (at 2)

"In order to state a retaliation claim, Plaintiff must allege facts establishing three elements: "(1) that the speech or conduct at issue was protected, (2) that the defendant took adverse action against the plaintiff, and (3) that there was a causal connection between the protected speech and the adverse action."" (at 8)

"However, even accepting the charge as an adequate adverse action, absent some evidence that the charge to Plaintiff was either a departure from DOC's practices as to Plaintiff himself, or as to other inmates, there is nothing from which a jury reasonably could conclude that the charges bore any relation to Plaintiff's participation in litigation against DOC." (at 10)

FACTUAL BACKGROUND

In March 2020, a Connecticut state court found Plaintiff indigent for purposes of waiving court fees even though he had more than \$13,000 in his inmate account because the funds derived from Social Security payments. Plaintiff then told DOC staff that the state-court ruling entitled him to free printouts and photocopies. DOC policy charged inmates for photocopies unless they met DOC's separate indigency standard, and Plaintiff was charged approximately \$440 for printouts and photocopies between May 2020 and June 2022. Plaintiff alleged that the charges were imposed in retaliation for lawsuits he had filed against DOC officials, but the record showed that he had been charged for and paid for copies before the state court's indigency ruling.

PROCEDURAL HISTORY

The case proceeded in the District of Connecticut after the court denied or otherwise resolved earlier motions and discovery proceeded. Defendants filed a motion to dismiss without asserting exhaustion, despite an earlier scheduling order inviting an early exhaustion motion. After discovery, Defendants moved for summary judgment. The court concluded that Plaintiff had exhausted his administrative remedies and that, although the charges could potentially constitute adverse action, Plaintiff presented no evidence of a causal connection between the charges and his protected litigation activity. The court granted summary judgment and directed the clerk to enter judgment and close the case.

DISPOSITION

other

CASES CITED

- Gawlik v. Semple, No. NNH-CV19-5044843-S (Conn. Super. Ct. Mar. 16, 2020)
- State of Connecticut v. Gawlik, HHD-CV15-5039424 (Conn. Super. Ct. Mar. 8, 2016)
- Food Servs. Div. v. Freedom of Info. Comm'n, No. HHB-CV074014939, 2008 WL 2068202 (Conn. Super. Ct. Apr. 30, 2008)
- Nick's Garage, Inc. v. Progressive Cas. Ins. Co., 875 F.3d 107, 113-14 (2d Cir. 2017)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252 (1986)
- Giordano v. Market Am., Inc., 599 F.3d 87, 93 (2d Cir. 2010)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Wright v. Goord, 554 F.3d 255, 266 (2d Cir. 2009)
- Donnelly v. Greenburgh Cent. Sch. Dist. No. 7, 691 F.3d 134, 141 (2d Cir. 2012)
- Robinson v. Concentra Health Servs., 781 F.3d 42, 44 (2d Cir. 2015)
- Brown v. Eli Lilly & Co., 654 F.3d 347, 358 (2d Cir. 2011)
- Porter v. Nussle, 534 U.S. 516, 532 (2002)
- Woodford v. Ngo, 548 U.S. 81, 90 (2006)
- Jones v. Bock, 549 U.S. 199, 216-18 (2007)
- Johnson v. Mata, 460 F. App'x 11, 15 (2d Cir. 2012)
- Johnson v. Testman, 380 F.3d 691, 695 (2d Cir. 2004)
- Villante v. VanDyke, 93 F. App'x 307, 309 (2d Cir. 2004)

- Handberry v. Thompson, 436 F.3d 52 (2d Cir.), opinion amended on reh'g, 446 F.3d 335 (2d Cir. 2006)
- Strauss v. Douglas Aircraft Co., 404 F.2d 1152, 1155 (2d Cir. 1968)
- Perez v. Wisconsin Dep't of Corr., 182 F.3d 532, 536 (7th Cir. 1999)
- Amador v. Andrews, 655 F.3d 89, 96 (2d Cir. 2011)
- Burns v. Martuscello, 890 F.3d 77, 84, 93-94 (2d Cir. 2018)
- Dolan v. Connolly, 794 F.3d 290, 294 (2d Cir. 2015)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-district-of-connecticut/2026/jan-gawlik-v-strom-et-al-pwfy2rc0>