

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Kenneth G. Soberanis v. Jaryn A. Spellman, et al.

Soberanis · No. 6:25-CV-0676 · Decided May 4, 2026

SUMMARY

This Report-Recommendation and Order addresses the initial review of Kenneth G. Soberanis’s pro se 42 U.S.C. § 1983 complaint under 28 U.S.C. §§ 1915 and 1915A. The complaint alleges excessive force by Rome police officers and failure to protect by a corrections officer after an inmate assault at the Oneida County Correctional Facility. The court recommends allowing the individual-capacity excessive-force claims against Jaryn A. Spellman and an unidentified Jane Doe officer to proceed, while concluding that the failure-to-protect claim against Hunter Corcoran is insufficiently pleaded.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Paul J. Evangelista
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	May 4, 2026
DOCKET	6:25-CV-0676
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on initial screening of a pro se complaint filed in forma pauperis under 28 U.S.C. §§ 1915 and 1915A.
STANDARD OF REVIEW	At initial review under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A, the court accepts well-pleaded allegations as true, construes a pro se complaint liberally, and determines whether it is frivolous, malicious, fails to state a plausible claim, or seeks relief from an immune defendant.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Kenneth G. Soberanis v. Jaryn A. Spellman, Jane Doe, Hunter Corcoran

TOPICS

- section 1983
- police misconduct
- due process
- pleadings
- civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated individual-capacity Fourth Amendment excessive-force claims against Spellman and Jane Doe.
2. Whether the complaint plausibly stated a Fourteenth Amendment failure-to-protect claim against Corcoran.
3. Whether the complaint plausibly stated a Fourteenth Amendment deliberate-medical-indifference claim.
4. Whether the allegations stated official-capacity claims under *Monell v. Department of Social Services*.
5. Whether the pro se plaintiff should receive leave to amend claims dismissed at screening.

HOLDINGS

1. The allegations that Spellman and Jane Doe used tasers without an apparent need to subdue Soberanis, causing injury, plausibly stated Fourth Amendment excessive-force claims sufficient to survive initial screening.
2. The complaint did not plausibly allege that Corcoran violated Soberanis's Fourteenth Amendment rights by failing to protect him from an inmate assault, but dismissal without prejudice and leave to amend were recommended.
3. The complaint did not plausibly allege a deliberate-medical-indifference claim because it did not identify a named defendant personally involved in Soberanis's medical treatment, but dismissal without prejudice and leave to amend were recommended.
4. The complaint did not plausibly allege official-capacity claims because it did not plead that a City of Rome or Oneida County policy, custom, practice, failure to train, or policymaker decision caused the alleged constitutional violations; dismissal without prejudice and leave to amend were recommended.

KEY QUOTATIONS

“Based on the facts alleged in plaintiff’s complaint and considering them in the light most favorable to plaintiff, as the Court must, force was used to arrest plaintiff, resulting in injury.” (at 8)

“As written, plaintiff’s complaint does not suggest that Corcoran was anything more than negligent in being unaware that the broom was left unsecured, and negligence does not suffice to establish deliberate indifference.” (at 17)

“However, as discussed above, “a municipality may not be held liable under 1983 ‘solely because it employs a tortfeasor.’” (at 22)

FACTUAL BACKGROUND

Soberanis alleged that Rome Police Officer Jaryn Spellman tased him in the chest when he answered an apartment door, causing a fractured sternum, nerve damage, and scarring, and that an unidentified Rome officer

tased him again in a police vehicle. He also alleged that, while detained at the Oneida County Correctional Facility, another inmate attacked him with an unsecured broom and that he later received inadequate medical care. He sought \$100,000 in damages under 42 U.S.C. § 1983.

PROCEDURAL HISTORY

Soberanis filed a § 1983 complaint on May 27, 2025, alleging excessive force, failure to protect, and deliberate medical indifference. The magistrate judge granted in forma pauperis status, screened the complaint, recommended that the individual-capacity Fourth Amendment excessive-force claims against Spellman and Jane Doe survive screening, and recommended dismissal without prejudice with leave to amend of the remaining claims. The report was submitted to the district judge for review under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- *Praileau v. Fischer*, 930 F. Supp. 2d 383, 394 (N.D.N.Y. 2013)
- *Kirkland v. Cablevision Systems*, 760 F.3d 223, 224 (2d Cir. 2014) (per curiam)
- *Triestman v. Federal Bureau of Prisons*, 470 F.3d 471, 475, 477 (2d Cir. 2006)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-56, 570 (2007)
- *Rich v. Akwesasne Mohawk Casino Resort*, No. 8:24-CV-255 (AMN/CFH), 2024 WL 3677262, at *2 (N.D.N.Y. Aug. 6, 2024)
- *Simmons v. Abruzzo*, 49 F.3d 83, 86-87 (2d Cir. 1995)
- *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000)
- *Sira v. Morton*, 380 F.3d 57, 67 (2d Cir. 2004)
- *Cinotti v. Adelman*, 709 F. App'x 39, 40 (2d Cir. 2017)
- *Graham v. Connor*, 490 U.S. 386, 390, 394, 396-97 (1989)
- *Tennessee v. Garner*, 471 U.S. 1, 8 (1985)
- *Shamir v. City of New York*, 804 F.3d 553, 556 (2d Cir. 2015)
- *Darnell v. Pineiro*, 849 F.3d 17, 29-35 (2d Cir. 2017)
- *Farmer v. Brennan*, 511 U.S. 825, 828, 833-34, 843 (1994)
- *Little v. County of Nassau*, 708 F. Supp. 3d 252, 263-67 (E.D.N.Y. 2023)
- *Oteri v. Palmatier*, No. 9:23-CV-986 (AMN/ML), 2024 WL 808774, at *5 (N.D.N.Y. Feb. 27, 2024)
- *Monell v. Department of Social Services*, 436 U.S. 658, 690-91 (1978)
- *Batista v. Rodriguez*, 702 F.2d 393, 397 (2d Cir. 1983)
- *Jeffes v. Barnes*, 208 F.3d 49, 56 (2d Cir. 2000)
- *Roldan v. Racette*, 984 F.2d 85, 89 (2d Cir. 1993)

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