

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Curtis L. McBride v. Wardlow, et al.

McBride · No. 3:23-CV-1067-PPS-JEM · Decided April 24, 2026

SUMMARY

The United States District Court for the Northern District of Indiana dismissed Curtis L. McBride’s second amended prisoner complaint under 28 U.S.C. § 1915A. The court held that the allegations concerning restraints used during a tooth extraction did not plausibly establish excessive force, deliberate indifference to medical needs, or failure to intervene under the Eighth Amendment. The dismissal was without further leave to amend because amendment would be futile.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	April 24, 2026
DOCKET	3:23-CV-1067-PPS-JEM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening of a prisoner's second amended civil-rights complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	The court reviewed the second amended prisoner complaint under 28 U.S.C. § 1915A and dismissed it if it was frivolous or malicious, failed to state a claim, or sought monetary relief from an immune defendant. The pleading was construed liberally because McBride was proceeding pro se.
PRECEDENTIAL VALUE	unpublished

TOPICS

- section 1983
- prisoners rights
- cruel and unusual punishment
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether McBride plausibly stated an Eighth Amendment excessive-force claim against Major Wardlow based on the decision to require his hands to be cuffed behind his back during the dental procedure.
2. Whether McBride plausibly stated an Eighth Amendment excessive-force claim against Dr. Ruckers based on performing the tooth extraction while McBride's hands were cuffed behind his back.
3. Whether McBride plausibly stated an Eighth Amendment deliberate-indifference or failure-to-intervene claim against Sgt. Welch.
4. Whether McBride plausibly stated an Eighth Amendment deliberate-indifference-to-medical-needs claim against Dr. Ruckers or Sgt. Welch based on the manner of the tooth extraction and the alleged pain.
5. Whether further leave to amend should be granted after two prior opportunities to correct the pleading.

HOLDINGS

1. McBride failed to plausibly allege that Major Wardlow required the rear-handcuffing method maliciously or sadistically to cause harm rather than in a good-faith effort to maintain order. The excessive-force claim against Wardlow therefore failed.
2. McBride failed to plausibly allege that Dr. Ruckers performed the tooth extraction with his hands cuffed behind his back for the purpose of maliciously and sadistically causing harm.
3. McBride failed to plausibly allege that Sgt. Welch was deliberately indifferent to the risk of injury or pain by following Wardlow's restraint directive and not stopping the agreed-to tooth extraction when McBride cried out. He also could not maintain a failure-to-intervene claim without an underlying constitutional violation.
4. McBride failed to plausibly allege that Dr. Ruckers or Sgt. Welch acted with deliberate indifference to a serious medical need or departed substantially from accepted professional judgment in connection with the dental procedure.
5. Further leave to amend was denied because McBride had already received two opportunities to correct the deficiencies and amendment would be futile.

KEY QUOTATIONS

“The “core requirement” of an excessive force claim is that the defendant “used force not in a good-faith effort to maintain or restore discipline, but maliciously and sadistically to cause harm.””

“Deliberate indifference means that the defendant “acted in an intentional or criminally reckless manner, i.e., the defendant must have known that the plaintiff was at serious risk of being harmed and decided not to do anything to prevent that harm from occurring even though he could have easily done so.””

“For a medical professional to be held liable for deliberate indifference to an inmate’s medical needs, [they] must make a decision that represents such a substantial departure from accepted professional judgment,

practice, or standards, as to demonstrate that the person responsible actually did not base the decision on such a judgment.”

FACTUAL BACKGROUND

McBride, a prisoner formerly housed at Indiana State Prison, needed a tooth extraction. Prison personnel required him to undergo the conscious dental procedure with his hands cuffed behind his back because of a rule applicable to prisoners who were currently or recently in disciplinary segregation, despite his request that his hands be cuffed in front. McBride agreed to the extraction because of his dental pain and later alleged that the procedure caused or worsened pain and damage to his wrists and shoulders. He also alleged that Major Wardlow authorized the restraint method, Dr. Ruckers performed the extraction, and Sgt. Welch required the procedure to proceed and did not intervene when McBride cried out.

PROCEDURAL HISTORY

Curtis L. McBride, proceeding without counsel, filed a second amended complaint under 42 U.S.C. § 1983 against prison and medical personnel. The court had previously given him two opportunities to correct deficiencies in his original and amended complaints. After screening the second amended complaint, the court concluded that it failed to state a constitutional claim and dismissed the action under 28 U.S.C. § 1915A, denying further leave to amend as futile.

DISPOSITION

dismissed

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- McCottrell v. White, 933 F.3d 651, 662 (7th Cir. 2019)
- Hendrickson v. Cooper, 589 F.3d 887, 890 (7th Cir. 2009)
- Board v. Farnham, 394 F.3d 469, 478 (7th Cir. 2005)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Greeno v. Daley, 414 F.3d 645, 653 (7th Cir. 2005)
- Jackson v. Kotter, 541 F.3d 688, 697 (7th Cir. 2008)
- Walker v. Wexford Health Sources, Inc., 940 F.3d 954, 965 (7th Cir. 2019)
- Forbes v. Edgar, 112 F.3d 262, 267 (7th Cir. 1997)
- Abu-Shawish v. United States, 898 F.3d 726, 738 (7th Cir. 2018)
- Hukic v. Aurora Loan Servs., 588 F.3d 420, 432 (7th Cir. 2009)