

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Jason Allen Girtler v. Officer T. Taddy, Officer Behrensprung, and
John Doe

Girtler · No. 25-cv-2047-bhl · Decided March 31, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin screens Jason Allen Girtler’s amended 42 U.S.C. § 1983 complaint concerning an alleged failure to protect him from assault at the Manitowoc County Jail. The court finds that Girtler states a Fourteenth Amendment failure-to-protect claim against Officers Taddy and Behrensprung, but not against the John Doe supervisors. The court orders service on the two named officers, terminates the John Doe placeholder, and prohibits discovery until entry of a scheduling order.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	March 31, 2026
DOCKET	25-cv-2047-bhl
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se incarcerated plaintiff’s amended 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	The court screened the amended prisoner complaint under 28 U.S.C. § 1915A, determining whether it was frivolous, malicious, failed to state a plausible claim for relief, or sought monetary relief from an immune defendant.
PRECEDENTIAL VALUE	nonprecedential district court screening order
PARTIES	Jason Allen Girtler v. Officer T. Taddy, Officer Behrensprung, John Doe

TOPICS

section 1983

prisoners rights

civil rights

due process

civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged that Officers Taddy and Behrensprung failed to protect Girtler from a substantial risk of serious harm in violation of the Fourteenth Amendment.
2. Whether the amended complaint stated a claim against unidentified supervisory defendants who allegedly allowed or approved the move.
3. Whether the action should proceed to service against Taddy and Behrensprung and whether discovery should be deferred pending a scheduling order.

HOLDINGS

1. The amended complaint stated a plausible failure-to-protect claim against Officers Taddy and Behrensprung because it alleged that they intentionally forced Girtler to move to a pod where they knew he faced a serious risk of harm from other inmates.
2. The amended complaint failed to state a claim against the John Doe supervisors because the allegations did not permit a reasonable inference that they knew Girtler faced a risk of harm, and respondeat superior does not support supervisory liability under § 1983.
3. The case was permitted to proceed against Officers Taddy and Behrensprung, and the United States Marshal was ordered to serve them with the amended complaint and screening order.

KEY QUOTATIONS

“Incarcerated people have a clearly established right to be free from physical harm inflicted by others in the institution, and under section 1983 they may sue jail or prison staff who fail to protect them.”

“To state a cognizable claim under the federal notice pleading system, a plaintiff is required to provide a “short and plain statement of the claim showing that [he] is entitled to relief.””

FACTUAL BACKGROUND

In February 2023, Girtler had an altercation with other inmates after using a racially derogatory name and was placed in segregation. Officers Taddy and Behrensprung allegedly moved him to a pod adjoining his former pod despite his warning that inmates there posed a danger to him and his request to remain in segregation. After approximately three weeks, Girtler was attacked and severely beaten; he alleged that the officers knew of the risk created by the move.

PROCEDURAL HISTORY

Girtler initially filed a § 1983 complaint concerning an alleged failure to protect him from an assault at the Manitowoc County Jail. On February 26, 2026, the court found that the original complaint failed to state a claim

but granted leave to amend. After Girtler filed an amended complaint on March 9, 2026, the court screened it, allowed failure-to-protect claims to proceed against Officers Taddy and Behrensprung, dismissed the claims against the John Doe supervisors, ordered service and responsive pleadings, and stayed discovery pending a scheduling order.

DISPOSITION

other

CASES CITED

- Thomas v. Dart, 39 F.4th 835, 841 (7th Cir. 2022)
- Gentry v. Duckworth, 65 F.3d 555, 561 (7th Cir. 1995)

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