

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Andrew Cook v. Richard Williams, et al.

25-CV-1029 (SFR) (D. Conn. Jan. 28, 2026) · No. 3:25-cv-01029 (SFR) · Decided January 28, 2026

SUMMARY

This Initial Review Order addresses a pro se prisoner’s 42 U.S.C. § 1983 claims concerning alleged deliberate indifference to medical and dental needs and denial of a single cell. The court dismisses or severs claims involving defendants and events at different correctional facilities, dismisses claims against UConn Medical and an unidentified scheduler, and permits certain medical-indifference claims against Cheshire-related defendants to proceed.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Sarah F. Russell
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	January 28, 2026
DOCKET	3:25-cv-01029 (SFR)
DISPOSITION	other
PROCEDURAL POSTURE	Initial review of a pro se incarcerated plaintiff's complaint under the Prison Litigation Reform Act, 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a facially plausible claim. Conclusory allegations and legal conclusions masquerading as facts are not accepted.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Andrew Cook v. Richard Williams, Carin Vangelder, Frank Maletz, Douglas Gibson, UConn Medical Farmington, Nicole Hernandez, Gloria Perry, Robert Martin, Warden Reis, Schedulers Jane/John Doe

TOPICS

- section 1983
- prisoners rights
- civil rights
- joinder
- civil procedure

PRACTICE AREAS

civil rights litigation

prisoner litigation

constitutional torts

civil procedure

QUESTIONS PRESENTED

1. Whether Cook's claims against defendants associated with different facilities and unrelated medical, dental, and housing incidents were properly joined under Federal Rule of Civil Procedure 20.
2. Whether Cook stated plausible Fourteenth or Eighth Amendment deliberate-indifference claims based on breathing difficulties and a failed cervical fusion with related pain.
3. Whether Cook adequately alleged the personal involvement of supervisory officials and a scheduler in the claimed constitutional violations.
4. Whether UConn Medical was subject to suit under § 1983.
5. Whether official-capacity claims for damages were barred by Eleventh Amendment immunity and whether official-capacity claims for injunctive relief were moot after Cook's transfer.

HOLDINGS

1. Claims involving different defendants, facilities, time periods, factual predicates, witnesses, and proofs were improperly joined under Rule 20(a)(2) and were subject to severance under Rule 21.
2. UConn Medical, characterized as a state agency or entity, was not a person subject to suit under § 1983, so Cook's claims against it were dismissed with prejudice to repleading in this action.
3. A plaintiff seeking damages under § 1983 must allege facts showing each defendant's personal involvement in the constitutional violation; receipt or forwarding of a communication, without more, is insufficient.
4. Cook plausibly alleged Fourteenth and/or Eighth Amendment deliberate-indifference claims against Dr. Maletz concerning his failed cervical fusion and related pain, and against Dr. Williams concerning his breathing difficulties while in quarantine in February 2024.
5. Official-capacity claims for monetary damages against state employees were barred by the Eleventh Amendment. Official-capacity claims for injunctive or declaratory relief against Cheshire officials were moot after Cook's transfer, except that Cook could proceed against Dr. Maletz in his official capacity based on allegations of ongoing treatment at multiple DOC facilities.

KEY QUOTATIONS

“the plaintiff must directly plead and prove that each Government- official defendant, through the official’s own individual actions, has violated the Constitution.” (III.C.1)

“To prevail on either his Fourteenth or Eighth Amendment claims, Cook must allege facts to satisfy an objective and subjective prong.” (III.C.2.b.i)

“Cook may proceed on his claims against Dr. Maletz for deliberate indifference in violation of the Fourteenth and/or Eighth Amendments in his individual and official capacities” (IV)

FACTUAL BACKGROUND

Andrew Cook, a Connecticut prisoner, alleged that correctional medical providers failed to respond adequately to serious breathing problems, a failed cervical fusion and related pain, a hernia, a need for a colonoscopy, and dental problems. He also alleged that officials denied him a single cell and that various defendants at different correctional facilities delayed or failed to provide treatment. Cook was sentenced on June 18, 2024, and was transferred from Cheshire Correctional Institution to Osborn Correctional Institution on May 30, 2025.

PROCEDURAL HISTORY

Cook filed a § 1983 complaint alleging deliberate indifference to medical and dental needs, unsafe or inadequate conditions of confinement, and denial of a single cell. The court screened the complaint, dismissed some claims with or without prejudice, severed and dismissed misjoined claims for refiling in separate actions, and permitted limited claims against Dr. Maletz and Dr. Williams to proceed to service if Cook elected to do so.

DISPOSITION

other

CASES CITED

- *Giraldo v. Kessler*, 694 F.3d 161, 164 (2d Cir. 2012)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Faber v. Metro Life Ins. Co.*, 648 F.3d 98, 104 (2d Cir. 2011)
- *Matheson v. Deutsche Bank Nat'l Tr. Co.*, 706 F. App'x 24, 26 (2d Cir. 2017)
- *Blyden v. Mancusi*, 186 F.3d 252, 264 (2d Cir. 1999)
- *Pitchell v. Callan*, 13 F.3d 545, 547 (2d Cir. 1994)
- *Will v. Michigan Department of State Police*, 491 U.S. 58, 70 (1989)
- *Fine v. UConn Med.*, No. 3:18-CV-530 (JAM), 2019 WL 236726, at *5 (D. Conn. Jan. 16, 2019)
- *Harnage v. Lightner*, 916 F.3d 138, 142 (2d Cir. 2019)
- *Dixon v. Scott Fetzer Co.*, 317 F.R.D. 329, 331 (D. Conn. 2016)
- *Harris v. Steinem*, 571 F.2d 119, 123 (2d Cir. 1978)
- *Arista Records LLC v. Does 1-4*, 589 F. Supp. 2d 151, 154 (D. Conn. 2008)
- *Ardolf v. Weber*, 332 F.R.D. 467, 479 (S.D.N.Y. 2019)
- *Costello v. Home Depot U.S.A., Inc.*, 888 F. Supp. 2d 258, 263 (D. Conn. 2012)
- *Cora v. Gardner*, No. 3:24CV1450 (VAB), 2025 WL 744272, at *5 (D. Conn. Mar. 7, 2025)
- *Staton v. Quiros*, No. 3:23-CV-00494 (JAM), 2024 WL 4349075, at *2-3 (D. Conn. Sept. 30, 2024)
- *Ibbison v. Quiros*, No. 3:22-CV-1163 (SVN), 2023 WL 1766440, at *8 (D. Conn. Feb. 3, 2023)
- *Brown v. Cook*, No. 3:20-CV-864 (KAD), 2020 WL 5659387, at *12 (D. Conn. Sept. 23, 2020)
- *Wright v. Smith*, 21 F.3d 496, 501 (2d Cir. 1994)

- Tangreti v. Bachman, 983 F.3d 609, 620 (2d Cir. 2020)
- Wilson v. Seiter, 501 U.S. 294, 298 (1991)
- Valdiviezo v. Boyer, 752 F. App'x 29, 32 (2d Cir. 2018)
- Chance v. Armstrong, 143 F.3d 698, 702 (2d Cir. 1998)
- Smith v. Carpenter, 316 F.3d 178, 185 (2d Cir. 2003)
- Harrison v. Barkley, 219 F.3d 132, 136 (2d Cir. 2000)
- Jenkins v. Trachtman, No. 9:17-CV-0126 (TWD) (GSD), 2017 WL 7163935, at *3 (N.D.N.Y. Dec. 22, 2017)
- McQueen v. County of Albany, No. 9:08-CV-799, 2010 WL 338081, at *11 (N.D.N.Y. Jan. 28, 2010)
- Day v. Lantz, No. 3:07-CV-388 (RNC), 2009 WL 801612, at *3 (D. Conn. Mar. 25, 2009), aff'd, 360 F. App'x 237 (2d Cir. 2010)
- Gojcay v. Naqvi, No. 3:23-CV-01097 (VDO), 2023 WL 7410547, at *4 (D. Conn. Nov. 9, 2023)
- Ostroski v. Doe, No. 3:12-CV-954 (RNC), 2012 WL 5448331, at *3 (D. Conn. Nov. 7, 2012)
- Pires v. Gallagher, No. 3:24-CV-1168 (SFR), 2025 WL 2053411, at *3 (D. Conn. July 22, 2025)
- Rahim v. Barsto, No. 3:22-CV-619 (MPS), 2022 WL 2704102, at *5 (D. Conn. July 12, 2022)
- Triestman v. Federal Bureau of Prisons, 470 F.3d 471, 474-77 (2d Cir. 2006)
- Robinson v. Rodriguez, No. 3:23-CV-1208 (MPS), 2023 WL 8934837, at *7 (D. Conn. Dec. 27, 2023)
- Warwick v. Doe, 2020 WL 2768804, at *5 (D. Conn. May 27, 2020)
- Arpin v. Semple, No. 3:24-CV-1918 (SRU), 2025 WL 1358547, at *4 (D. Conn. May 9, 2025)
- Oh v. Quiros, No. 3:24-CV-148 (SVN), 2024 WL 896605, at *3 (D. Conn. Mar. 1, 2024)
- Smith v. Perez, No. 3:19-CV-1758 (VAB), 2020 WL 2307643, at *5 (D. Conn. May 8, 2020)
- Charles v. Orange County, 925 F.3d 73, 86-87 (2d Cir. 2019)
- Kentucky v. Graham, 473 U.S. 159, 169 (1985)
- Virginia Office for Protection & Advocacy v. Stewart, 563 U.S. 247, 254-55 (2011)
- Fisher v. Goord, 981 F. Supp. 140, 167 (W.D.N.Y. 1997)
- Farmer v. Brennan, 511 U.S. 825, 846-47 (1994)