

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

**Rusty Wagley, Jr. v. Sergeant B. Thorton, Corporal Troxel, Deputy
Snider, Deputy Franklin, Deputy Smith, Sheriff Diederich, Chief
Lindley, and Williamson County Sheriff's Office**

Wagley · No. 25-cv-02066-JPG · Decided January 12, 2026

SUMMARY

The United States District Court for the Southern District of Illinois conducts screening of Rusty Wagley, Jr.’s 42 U.S.C. § 1983 complaint alleging excessive force and denial of medical treatment during his December 18, 2023 arrest. The court allows Fourth Amendment claims to proceed against the individual officers and dismisses the Williamson County Sheriff’s Office without prejudice. The plaintiff’s motions to proceed in forma pauperis is granted, while his motion for recruitment of counsel is denied without prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	J. Phil Gilbert
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	January 12, 2026
DOCKET	25-cv-02066-JPG
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se prisoner's or in forma pauperis civil-rights complaint under 28 U.S.C. § 1915A and/or § 1915(e)(2).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e)(2), the court must screen the complaint and dismiss any portion that is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks damages from an immune defendant. Pro se allegations are construed liberally, and the complaint must plead enough facts to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; limited persuasive value.

PARTIES

Rusty Wagley, Jr. v. Sergeant B. Thorton, Corporal Troxel, Deputy Snider, Deputy Franklin, Deputy Smith, Sheriff Diederich, Chief Lindley, Williamson County Sheriff's Office

TOPICS

section 1983

police misconduct

civil rights

service of process

civil procedure

PRACTICE AREAS

Civil rights

Prisoner civil rights

Constitutional law

Civil procedure

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated Fourth Amendment claims for excessive force during an arrest.
2. Whether the complaint plausibly stated a Fourth Amendment claim for objectively unreasonable denial of medical care to an arrestee.
3. Whether the Williamson County Sheriff's Office is a suable entity under 42 U.S.C. § 1983.
4. Whether the complaint stated a municipal-liability claim against Williamson County based on an official policy, custom, or practice.
5. Whether plaintiff was entitled to recruited counsel at the screening stage.

HOLDINGS

1. The complaint plausibly stated a Fourth Amendment excessive-force claim against Sergeant Thorton, Deputy Troxel, Deputy Snider, Deputy Franklin, Deputy Smith, Sheriff Diederich, and Chief Lindley in their individual capacities, and the claim would receive further review.
2. The complaint plausibly stated a Fourth Amendment claim against all individual officers for objectively unreasonable denial of medical care to an arrestee with obvious and serious injuries.
3. The Williamson County Sheriff's Office is not a suable entity under 42 U.S.C. § 1983 and was dismissed without prejudice.
4. The motion for recruitment of counsel was denied without prejudice.

KEY QUOTATIONS

"Force is considered "reasonable only when exercised in proportion to the threat posed, and as the threat changes, so too should the degree of force.""

"An individual defendant will not be liable unless he or she "caused or participated" in a constitutional deprivation."

FACTUAL BACKGROUND

Plaintiff alleged that on December 18, 2023, Williamson County and Crainville law-enforcement officials came to his home after he admitted driving with a revoked license. He alleged that, after he complied with an order to

sit in a chair, the officers handcuffed him, punched him, dragged him to the floor, and repeatedly tased him in the neck, legs, and genitals. He further alleged that the officers caused a dislocated or torn shoulder and other wounds, denied him medical treatment, and used a blotter photograph to conceal his injuries.

PROCEDURAL HISTORY

Plaintiff filed a 42 U.S.C. § 1983 complaint seeking damages for alleged excessive force during his arrest and denial of medical treatment. The court granted leave to proceed in forma pauperis, denied recruitment of counsel without prejudice, dismissed the Williamson County Sheriff's Office without prejudice, and allowed the excessive-force and denial-of-medical-care claims to proceed against the individual officers in their individual capacities.

DISPOSITION

other

CASES CITED

- Rodriguez v. Plymouth Ambulance Service, 577 F.3d 816, 821 (7th Cir.)
- Currie v. Chhabra, 728 F.3d 626, 629-31 (7th Cir.)
- Best v. City of Portland, 554 F.3d 698 (7th Cir.)
- Chan v. Wodnick, 123 F.3d 1005, 1007 (7th Cir.)
- West v. Waymire, 114 F.3d 646, 646-47 (7th Cir.)
- Monell v. Department of Social Services, 436 U.S. 658, 69-91 (1978)
- Thomas v. Cook County Sheriff's Department, 604 F.3d 293, 303 (7th Cir.)
- Dockery v. Blackburn, 911 F.3d 458, 464 (7th Cir.)
- Graham v. Connor, 490 U.S. 386, 395-96 (1989)
- Torres v. Madrid, 592 U.S. 306 (2021)
- Snukis v. Taylor, 145 F.4th 734, 741 (7th Cir. 2025)
- Villanova v. Abrams, 972 F.2d 792, 797 (7th Cir.)
- Pepper v. Village of Oak Park, 430 F.3d 809, 810 (7th Cir.)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Pruitt v. Mote, 503 F.3d 647, 654 (7th Cir.)