

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA, TALLAHASSEE DIVISION

William Carter, Jr. v. Sgt. McKenzie

Carter v. McKenzie · No. 4:25cv95-MCR-MAF · Decided January 5, 2026

SUMMARY

The United States District Court for the Northern District of Florida partially adopts and partially rejects a Magistrate Judge’s Report and Recommendation concerning Plaintiff William Carter Jr.’s motion to amend his civil rights complaint. The Court permits amendment to reassert an individual-capacity § 1983 claim against Sgt. McKenzie and add ADA and Rehabilitation Act claims against the Florida Department of Corrections, while denying leave to add the other proposed claims.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida, Tallahassee Division
WRITING FOR THE COURT	M. Casey Rodgers
JURISDICTION	United States District Court for the Northern District of Florida
DECIDED	January 5, 2026
DOCKET	4:25cv95-MCR-MAF
DISPOSITION	other
PROCEDURAL POSTURE	Order reviewing a Magistrate Judge's Report and Recommendation on Plaintiff's motion for leave to file a second amended complaint. After conducting de novo review of timely objections, the District Court adopted the recommendation in part and rejected it in part.
STANDARD OF REVIEW	De novo review of timely objections to a Magistrate Judge's Report and Recommendation under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	William Carter, Jr. v. Sgt. McKenzie

TOPICS

- motion to amend
- ada / disability
- reasonable accommodation
- prisoners rights
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff's proposed ADA and Rehabilitation Act claims against the Department of Corrections were futile at the pleading stage.
2. Whether Plaintiff could amend to add an official-capacity claim against Sgt. McKenzie.
3. Whether Plaintiff could amend to add an Eighth Amendment claim against Centurion.
4. Whether Plaintiff should receive leave to file a second amended complaint.

HOLDINGS

1. When liberally construed, Plaintiff's allegations that he was denied participation in services and a meaningful accommodation because of his disability were sufficient to prevent the proposed ADA and Rehabilitation Act claims from being deemed futile at the amendment stage.
2. Leave to amend was properly denied as to the proposed official-capacity claim against Sgt. McKenzie because that claim was treated as a claim against the Department of Corrections itself.
3. Leave to amend was properly denied as to the proposed Eighth Amendment claim against Centurion because the allegations were conclusory and failed to state a claim.

KEY QUOTATIONS

“When construed liberally, the Court cannot conclude that this amendment would be futile.” (at 2)

“Plaintiff should be allowed an opportunity to amend his pleading to add ADA and Rehabilitation Act claims against the DOC for the alleged denial of participation in services and a meaningful accommodation.” (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that Sgt. McKenzie failed to protect him from an attack by other inmates and asserted an individual-capacity civil-rights claim under 42 U.S.C. § 1983. He sought to amend to add ADA and Rehabilitation Act claims against the Department of Corrections, an official-capacity claim against McKenzie, and an Eighth Amendment claim against Centurion. Plaintiff alleged that, despite receiving a cane, he remained assigned to a top bunk and lacked mobility and meaningful access to work assignments, the prison yard, and medical services because of his disability.

PROCEDURAL HISTORY

The Magistrate Judge recommended denying Plaintiff's motion for leave to amend as futile. The District Court reviewed the timely objections de novo, concluded that the proposed ADA and Rehabilitation Act claims were not clearly futile when liberally construed, and granted leave to amend those claims while denying leave in all other respects.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to remand the case to the Magistrate Judge for further proceedings. Plaintiff was required to file an amended complaint consistent with the Order on or before January 26, 2026.

CASES CITED

- Kinard v. Fla. Dep't of Corr., No. 24-10359, 2024 WL 4785003, at *6 (11th Cir. Nov. 14, 2024)

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