

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Johnell Williams, Individually and on Behalf of the Estate of Johnell
Walker v. Jefferson Parish, et al.

Williams v. Jefferson Parish · No. 22-3971 · Decided March 25, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana granted Sheriff Joseph P. Lopinto's motion for summary judgment in claims arising from an inmate's fatal drug overdose at the Jefferson Parish Correctional Center. The court held that the plaintiff failed to establish an underlying constitutional violation supporting official-capacity liability under 42 U.S.C. § 1983, and dismissed the related Louisiana survival and wrongful-death claims with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Jay C. Zainey
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	March 25, 2026
DOCKET	22-3971
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant Sheriff Joseph P. Lopinto, III moved for summary judgment on the remaining official-capacity claims under 42 U.S.C. § 1983 and Louisiana law. The court considered the motion on the briefs and granted it.
STANDARD OF REVIEW	Summary judgment is proper when the record, viewed in the light most favorable to the nonmovant, shows no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. After the movant shows an absence of evidence supporting the nonmovant's claim, the nonmovant must identify specific facts showing a genuine issue for trial.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Johnell Williams, individually and on behalf of the Estate of Johnell Walker v. Jefferson Parish, Joseph P. Lopinto, III

TOPICS

summary judgment

section 1983

municipal liability

prisoners rights

civil rights

PRACTICE AREAS

civil rights

constitutional law

municipal liability

prisoner litigation

summary judgment

QUESTIONS PRESENTED

1. Whether the plaintiff presented evidence of an underlying Eighth Amendment violation sufficient to support official-capacity claims for failure to protect, train, supervise, or discipline under 42 U.S.C. § 1983.
2. Whether the alleged failure to detect drugs smuggled into the jail, or a deputy's violation of jail policy, constituted deliberate indifference under the Eighth Amendment.
3. Whether the Louisiana survival and wrongful-death claims could proceed when they were predicated on the failed underlying § 1983 claim and the prisoner's own willful act.

HOLDINGS

1. The official-capacity claims against Sheriff Lopinto fail because the plaintiff did not establish an underlying constitutional violation. A public entity cannot be liable under § 1983 for inadequate training, supervision, or discipline absent a constitutional violation caused by an official policy or custom.
2. The plaintiff did not establish an Eighth Amendment violation based on Walker's voluntary ingestion of narcotics or the jail's failure to detect drugs smuggled into the facility.
3. A deputy's possible violation of jail policy, without more, did not rise to the level of deliberate indifference or establish a constitutional violation actionable under § 1983.
4. The plaintiff's survival and wrongful-death claims were dismissed because their viability was predicated on the failed underlying § 1983 claim, and Louisiana law does not impose liability for injuries attributable to the prisoner's own willful act under the circumstances presented.

KEY QUOTATIONS

“To state a Monell claim, the plaintiff must allege 1) that the municipality’s training, supervisory, or disciplinary policies or practices were inadequate, 2) that the municipality was deliberately indifferent in adopting the deficient policies, and 3) that the inadequate training, supervisory, or disciplinary policies directly caused the violation in question.”

“There is no dispute that Walker willingly ingested the drugs that led to his overdose. He cannot claim that the mere fact that drugs were smuggled into the prison somehow incapacitated him from exercising “ordinary responsibility for his own welfare.””

“Violations of prison rules do not alone rise to the level of constitutional violations, and therefore, such claims are not actionable under § 1983.”

FACTUAL BACKGROUND

Johnell Walker was housed at the Jefferson Parish Correctional Center when he overdosed on narcotics smuggled into the facility by another inmate. Walker had willingly ingested the drugs, and his death was ruled an accidental overdose. Although an on-duty deputy may have left his assigned post earlier in the day, the record indicated that he was back at the post when Walker was discovered, and deputies promptly administered CPR until emergency medical personnel arrived. The jail had policies and procedures intended to prevent contraband from entering the facility.

PROCEDURAL HISTORY

The plaintiff brought claims arising from Johnell Walker's death while housed at the Jefferson Parish Correctional Center. The remaining claims were against Sheriff Lopinto in his official capacity for failure to protect, supervise, and train, as well as Louisiana survival and wrongful-death claims. The court granted Sheriff Lopinto's motion for summary judgment and dismissed all remaining claims with prejudice.

DISPOSITION

dismissed

CASES CITED

- TIG Ins. Co. v. Sedgwick James, 276 F.3d 754, 759 (5th Cir. 2002)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-50, 255 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 325 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio, 475 U.S. 574, 587 (1986)
- SEC v. Recile, 10 F.3d 1093, 1097 (5th Cir. 1993)
- Watt v. City of New Orleans, 2022 WL 17844624, at *3 (E.D. La. Dec. 22, 2022)
- Monell v. Department of Social Services, 436 U.S. 658 (1978)
- Hankins v. Wheeler, 2022 WL 2208848, at *7 (E.D. La. June 21, 2022)
- Ratliff v. Aransas Cnty., 948 F.3d 281, 285 (5th Cir. 2020)
- Whitley v. Hanna, 726 F.3d 631 (5th Cir. 2013)
- Bustos v. Martini Club, Inc., 599 F.3d 458, 467 (5th Cir. 2010)
- Legate v. Livingston, 822 F.3d 207, 211 (5th Cir. 2016)
- Wronke v. Champaign Cty. Sheriff's Office, 132 F. App'x 58, 61 (7th Cir. 2005)
- Hudson v. Palmer, 468 U.S. 517, 526-27 (1984)
- Hernandez v. Estelle, 788 F.2d 1154, 1158 (5th Cir. 1986)
- Greene v. DeMoss, 2020 WL 7755690, at *10 (W.D. La. Dec. 11, 2020)
- Greene v. DeMoss, 2020 WL 7755655 (W.D. La. Dec. 29, 2020)
- Abshire v. Prator, 392 F. App'x 267 (5th Cir. 2010)
- Barlow v. City of New Orleans, 257 La. 91, 241 So. 2d 501, 504 (1970)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA JOHNNELL WILLIAMS, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JOHNNELL WALKER CIVIL ACTION VERSUS NO: 22-3971 JEFFERSON PARISH, ET AL. SECTION: “A” (1) ORDER AND REASONS Before the Court is a Motion for Summary Judgment (Rec. Doc. 91) filed by defendant, Sherriff Joseph P. Lopinto, III (“Sheriff Lopinto”).

The plaintiff, Johnell Williams, individually and on behalf of the Estate of Johnell Walker, opposes the motion. The motion, submitted for consideration on March 4, 2026, is before the Court on the briefs without oral argument.

For the following reasons, the Court GRANTS the motion. I. Background On October 22, 2021, Johnell Walker was housed in the Jefferson Parish Correctional Center (“JPCC”) when he overdosed on narcotics that had been smuggled into the prison by another inmate.¹ Around the time of his death, the on- duty deputy, Michael Molina, had abandoned his assigned post – in violation of JPCC policy² – to turn in paperwork on an unrelated fight that had taken place earlier that day.

However, according to the testimony of other officers present, Molina was back ¹ See generally Rec. Doc. 91-2, Def.’s Statement of Uncontested Material Facts. ² Rec. Doc. 98-5, Depo. of Timothy Berrian, at 10:17-11:11. on his post when the incident occurred.³ Either way, he radioed central control and indicated “inmate down.”⁴ Two deputies, Scholl and Stevens, arrived on the unit and began administering CPR until EMS arrived.⁵ Unfortunately, Walker was pronounced dead at the hospital and his death was eventually ruled an accidental overdose.⁶ The Jefferson Parish Sheriff’s Office (“JPSO”) requires that the Homicide Division investigate inmate deaths.⁷ During the course of the investigation, JPSO officers determined that another inmate, Don Raines, had secreted drugs in his rectum and distributed them to the inmates on his housing pod, including to Walker.⁸ Although the JPCC undergoes extensive efforts to halt the introduction of contraband into the facility, powdered narcotics, depending on where they are concealed on the body, can be very difficult to detect during security screenings.⁹ While Plaintiff emphasizes that the presence of drugs in the jail always indicates a breach of safety (a fact which the defendants do not challenge), neither party disputes that JPCC had policies and procedures in place with the purpose of prohibiting entry of contraband into the facility, and that Walker self-ingested the drugs on his own volition.

³ Rec. Doc. 91-7, Depo. of Deputy Kurt Scholl. ⁴ Id. Plaintiff contends that “Deputy Molina’s presence in the control booth at the time of the “man down” call [...] is genuinely in dispute.” Rec. Doc. 98-1 ¶ 2. The Court agrees with Defendant that “not a single exhibit or deposition transcript contains a statement that Molina was away from his post” Rec. Doc.

101 at 1 n. 1. Ultimately, however, the issue is not material to the claims against Sheriff Lopinto. ⁵ Rec. Doc. 91-2, Statement of Uncontested Material Facts, ¶ 14, 17. ⁶ Id. ¶ 18-20. ⁷ Rec. Doc. 91-

1, Memo. in Support of Mot. for Sum. Judg., at 5. 8 Id. at 6. 9 Id. at 2.

The only claims remaining are against Sheriff Lopinto in his official capacity. Plaintiff asserts 42 U.S.C. § 1983 claims against him for failure to protect, failure to supervise, failure to train, and a survival action and wrongful death claim under Louisiana law. Sheriff Lopinto now seeks to dismiss these claims because there is no underlying constitutional violation, which is an essential element of municipal liability.¹⁰ And even if the Court were to find a constitutional violation, he argues that Plaintiff has not shown that the municipality's training or supervision was inadequate, that any failure constituted a "deliberate indifference" towards Walker's constitutional rights, nor that any deficiency in training or supervision caused Walker's death.¹¹ II.

Legal Standard Summary judgment is appropriate only if "the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any," when viewed in the light most favorable to the non-movant, "show that there is no genuine issue as to any material fact." *TIG Ins. Co. v. Sedgwick James*, 276 F.3d 754, 759 (5th Cir.2002) (citing *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 249–50 (1986)).

A dispute about a material fact is "genuine" if the evidence is such that a reasonable jury could return a verdict for the non-moving party. *Id.* (citing *Anderson*, 477 U.S. at 248). The court must draw all justifiable inferences in favor of the non-moving party. *Id.* (citing *Anderson*, 477 U.S. at 255). Once the moving party has initially shown "that there is an absence of evidence to support the non-moving party's cause," 10 *Id.* at 8.

11 *Id.* at 8-12. *Celotex Corp. v. Catrett*, 477 U.S. 317, 325 (1986), the non-movant must come forward with "specific facts" showing a genuine factual issue for trial. *Id.* (citing *Fed.R.Civ.P.* 56(e); *Matsushita Elec. Indus. Co. v. Zenith Radio*, 475 U.S. 574, 587 (1986)). Conclusory allegations and denials, speculation, improbable inferences, unsubstantiated assertions, and legalistic argumentation do not adequately substitute for specific facts showing a genuine issue for trial.

Id. (citing *SEC v. Recile*, 10 F.3d 1093, 1097 (5th Cir.1993)). III. Discussion A suit against a public servant in his official capacity, such as Sheriff Lopinto, is treated as a suit against a public entity. A public entity may be liable pursuant to 42 U.S.C. § 1983 for failing to train, supervise, or discipline an employee only when an official policy or custom is the cause of a plaintiff's injuries.

See, e.g., *Watt v. City of New Orleans*, No. 22-3107, 2022 WL 17844624, at *3 (E.D. La. Dec. 22, 2022) (Africk, J.). A section 1983 claim against a municipality is governed by *Monell v. Department of Social Services*, 436 U.S. 658 (1978).

To state a *Monell* claim, the plaintiff must allege 1) that the municipality's training, supervisory, or disciplinary policies or practices were inadequate, 2) that the municipality was deliberately

indifferent in adopting the deficient policies, and 3) that the inadequate training, supervisory, or disciplinary policies directly caused the violation in question.

Id. (citing *Hankins v. Wheeler*, No. 21-1129, 2022 WL 2208848, at *7 (E.D. La. June 21, 2022) (Fallon, J.); *Ratliff v. Aransas Cnty.*, 948 F.3d 281, 285 (5th Cir. 2020)). As defendant correctly points out, the claims against Sheriff Lopinto fail because there is no underlying constitutional violation. See *Whitley v. Hanna*, 726 F.3d 631 (5th Cir. 2013) (citing *Bustos v. Martini Club, Inc.*, 599 F.3d 458, 467 (5th Cir.

2010)). The Fifth Circuit, along with other sister circuits, has held that “the Eighth Amendment does not address injury caused by an inmate’s voluntary acts [...]” *Legate v. Livingston*, 822 F.3d 207, 211 (5th Cir. 2016); see e.g., *Wronke v. Champaign Cty. Sheriff’s Office*, 132 Fed.Appx. 58, 61 (7th Cir. 2005) (holding that an inmate “cannot manufacture a constitutional claim by volunteering for a job when he could have avoided the offending conditions by choosing to stay in his cell”).

There is no dispute that Walker willingly ingested the drugs that led to his overdose. He cannot claim that the mere fact that drugs were smuggled into the prison somehow incapacitated him from exercising “ordinary responsibility for his own welfare.” See *Legate*, 822 F. 3d at 211. Further, there is nothing in the record to indicate that the prison guards failed to take reasonable measures to ensure prisoner safety, as required by the Eighth Amendment.

See *Hudson v. Palmer*, 468 U.S. 517, 526–527 (1984). Plaintiff does not raise any facts that Walker did not receive prompt medical attention, and a failure to detect drugs smuggled into the prison does not itself violate a prisoner’s constitutional rights.

Finally, Molina stepping away from his post may be a violation of JPCC’s policies and procedures, but his actions do not rise to the level of “deliberate indifference” necessary to be liable under the Eighth Amendment. “Violations of prison rules do not alone rise to the level of constitutional violations, and therefore, such claims are not actionable under § 1983.” *Hernandez v. Estelle*, 788 F.2d 1154, 1158 (5th Cir.

1986). Lastly, the Court finds that Plaintiffs’ survival action and wrongful death claims should be dismissed because their viability is predicated upon the underlying section 1983 claim. See *Greene v. DeMoss*, 3:20-CV-00578, 2020 WL 7755690, at *10 (W.D. La. Dec. 11, 2020) (Hayes, J.), report and recommendation adopted, No. 3:20- CV-00578, 2020 WL 7755655 (W.D.

La. Dec. 29, 2020) (observing that the plaintiff’s assertion of a wrongful death and survival action merely represents a means or vehicle for them to recover damages for injuries sustained). Defendant is also correct that “[u]nder Louisiana law, law enforcement officials are not liable for injuries attributable to [the prisoner’s] own willful act.” *Abshire v. Prator*, 392 F. App’x 267 (5th Cir.

2010) (citing *Barlow v. City of New Orleans*, 257 La. 91, 241 So.2d 501, 504 (1970)). Accordingly; IT IS ORDERED that the Motion for Summary Judgment (Rec. Doc. 91) filed by Sheriff Joseph P. Lopinto, II] is GRANTED. All remaining claims in this matter are DISMISSED WITH PREJUDICE. March 24, 2026 4 c U (ot sit 63 eter JUDGE

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