

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Michael Nelson v. Rhonda Alleman, et al.

Nelson v. Alleman · No. No. 23-504-BAJ-SDJ · Decided January 5, 2026

SUMMARY

A United States Magistrate Judge’s Report and Recommendation addresses cross-motions for summary judgment in a 42 U.S.C. § 1983 action brought by pretrial detainee Michael Nelson against Warden Rhonda Alleman and others. The report recommends denying Nelson’s motion, granting Alleman’s motion, dismissing the attorney-visitation claim with prejudice, dismissing the remaining claims with prejudice for failure to exhaust administrative remedies, declining supplemental jurisdiction over potential state-law claims, and closing the action.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
WRITING FOR THE COURT	Scott D. Johnson, United States Magistrate Judge
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	January 5, 2026
DOCKET	No. 23-504-BAJ-SDJ
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on cross-motions for summary judgment in a 42 U.S.C. § 1983 action brought by a pretrial detainee against a jail warden.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court must view facts and reasonable inferences in the light most favorable to the nonmovant and may not weigh evidence, resolve factual disputes, or assess witness credibility. A prisoner must properly exhaust available administrative remedies before filing suit concerning prison conditions.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Michael Nelson v. Rhonda Alleman, et al.

TOPICS

summary judgment

section 1983

prisoners rights

civil procedure

constitutional law

PRACTICE AREAS

prisoner civil rights

civil procedure

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether Plaintiff properly exhausted available administrative remedies before filing his § 1983 claims.
2. Whether the denial of attorney visits from August 2022 through March 21, 2023 violated Plaintiff's Sixth Amendment right to counsel or right of access to the courts.
3. Whether Plaintiff presented competent summary-judgment evidence creating a genuine dispute of material fact.
4. Whether the Court should decline supplemental jurisdiction over potential state-law claims after recommending dismissal of the federal claims.

HOLDINGS

1. The record established that Plaintiff failed to properly exhaust his administrative remedies before filing suit as to all claims except the claim concerning denial of attorney visits with Longman and Jakuback from August 2022 through March 21, 2023.
2. The recommended disposition concluded that Plaintiff was not entitled to relief on his claim that Alleman denied attorney visits from August 2022 through March 21, 2023.
3. The recommended disposition concluded that Plaintiff failed to identify competent evidence sufficient to create a genuine issue for trial or establish entitlement to summary judgment.

KEY QUOTATIONS

“It is recommended that Plaintiff’s Motion for Summary Judgment (R. Doc. 60) be denied, and that Defendant’s Motion for Summary Judgment (R. Doc. 53) be granted, dismissing Plaintiff’s claim against Defendant Alleman for denial of attorney visits from August of 2022 to March 21, 2023, with prejudice, and dismissing the remainder of Plaintiff’s claims, with prejudice², for failure to exhaust his administrative remedies.” (unpaginated, Recommendation)

“In sum, competent summary judgment evidence establishes, and there is no competent summary judgment evidence to the contrary, that Plaintiff did not exhaust his administrative remedies prior to filing this action except as to one claim.” (unpaginated, Failure to Exhaust Administrative Remedies)

FACTUAL BACKGROUND

Michael Nelson was a pretrial detainee at the West Baton Rouge Detention Center. He alleged that Warden Rhonda Alleman interfered with his access to attorneys from Longman and Jakuback and asserted related claims concerning phones, visitation, and attorney communications. Alleman acknowledged denying attorney visits but stated that she had misunderstood a federal order disqualifying the firm in Nelson's federal proceedings; an emergency grievance resulted in approval of the visits on March 21, 2023. Nelson did not present competent

summary-judgment evidence showing that the grievance process was unavailable, that Alleman intentionally interfered with counsel, or that the visitation denial caused cognizable legal prejudice.

PROCEDURAL HISTORY

Plaintiff filed suit alleging constitutional violations arising from restrictions on attorney visits, communications, and related prison conditions. All claims were previously dismissed except the claims against Warden Rhonda Alleman in her personal capacity. Plaintiff and Defendants filed cross-motions for summary judgment. The magistrate judge recommended denying Plaintiff's motion, granting Defendants' motion, dismissing the attorney-visitation claim with prejudice on the merits, and dismissing the remaining claims with prejudice for failure to exhaust administrative remedies.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242 (1986)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994)
- International Shortstop, Inc. v. Rally's, Inc., 939 F.2d 1257, 1263 (5th Cir. 1991)
- Porter v. Nussle, 534 U.S. 516, 525, 532 (2002)
- Johnson v. Johnson, 385 F.3d 503, 516-17 (5th Cir. 2004)
- Woodford v. Ngo, 548 U.S. 81, 90 (2006)
- Owens-El v. Robinson, 442 F. Supp. 1368, 1386 (D.C. Pa. 1978)
- Collins v. Schoonfield, 344 F. Supp. 257, 280 (D.C. Md. 1972)
- Jones v. Wittenberg, 330 F. Supp. 707, 719 (D.C. Ohio 1971)
- Eason v. Thaler, 73 F.3d 1322, 1328 (5th Cir. 1996)
- Weyant v. Acceptance Insurance Co., 917 F.2d 209, 212 (5th Cir. 1990)