

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Reese Levi Keith v. McNeely

No. 2:25-cv-00518-JPH-MG · No. No. 2:25-cv-00518-JPH-MG · Decided April 6, 2026

SUMMARY

The United States District Court for the Southern District of Indiana screened Reese Levi Keith’s prisoner civil-rights complaint alleging inadequate mental-health care by therapist Abby L. McNeely. The court allowed an Eighth Amendment deliberate-indifference claim to proceed, directed service of process, and ordered the docket updated to reflect McNeely’s full name. The court also provided a deadline for any motion to reconsider additional claims.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	James Patrick Hanlon
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	April 6, 2026
DOCKET	No. 2:25-cv-00518-JPH-MG
DISPOSITION	other
PROCEDURAL POSTURE	The district court screened a prisoner civil-rights complaint under 28 U.S.C. § 1915A before service of process and allowed an Eighth Amendment deliberate-indifference claim to proceed.
STANDARD OF REVIEW	At screening under 28 U.S.C. § 1915A, the court applies the Federal Rule of Civil Procedure 12(b)(6) pleading standard, accepting factual allegations as true and asking whether the complaint states a plausible claim for relief. Pro se pleadings are construed liberally.
PRECEDENTIAL VALUE	unpublished district court screening order

TOPICS

- prisoners rights
- civil rights
- pleadings
- motions to dismiss
- service of process

PRACTICE AREAS

- Prisoner civil rights
- Constitutional law
- Federal civil procedure
- Mental-health care

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible Eighth Amendment deliberate-indifference claim against the mental-health therapist.
2. Whether the complaint should be screened and served under 28 U.S.C. § 1915A and Federal Rule of Civil Procedure 4.

HOLDINGS

1. The complaint stated an Eighth Amendment deliberate-indifference claim against McNeely, and that claim was allowed to proceed.
2. The clerk was directed to issue and electronically serve process on McNeely, and Centurion was ordered to provide address or employer information if necessary for service.

KEY QUOTATIONS

"enough facts to state a claim to relief that is plausible on its face." (I)

"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." (I)

"less stringent standard than pleadings drafted by lawyers." (I)

FACTUAL BACKGROUND

Keith, an incarcerated person at Wabash Valley Correctional Facility, alleged that he experienced nightmares, anxiety, fatigue, difficulty focusing, and depression beginning in 2024. After beginning treatment with McNeely, a mental-health therapist, he alleged that she dismissed his concerns, failed to document his reported suicidality, laughed about him with coworkers, and gossiped that he was seeking Prozac. Keith sought damages, assistance obtaining proper mental-health care, and assignment to a different therapist.

PROCEDURAL HISTORY

Reese Levi Keith filed a civil action alleging ineffective mental-health care by therapist Abby L. McNeely. Because Keith is incarcerated, the court screened the complaint before service, identified an Eighth Amendment deliberate-indifference claim, directed service, and allowed Keith until April 22, 2026, to seek reconsideration if he believed additional claims had been alleged.

DISPOSITION

other

CASES CITED

- Schillinger v. Kiley, 954 F.3d 990, 993 (7th Cir. 2020)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)

- Cesal v. Moats, 851 F.3d 714, 720 (7th Cir. 2017)
- Lisby v. Henderson, 74 F.4th 470, 472 (7th Cir. 2023)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA TERRE HAUTE DIVISION REESE LEVI KEITH,)) Plaintiff,)) v.) No. 2:25-cv-00518-JPH-MG) MCNEELY,)) Defendant.) ORDER SCREENING COMPLAINT AND DIRECTING FURTHER PROCEEDINGS Plaintiff Reese Keith is a prisoner currently incarcerated at Wabash Valley Correctional Facility. He filed this civil action alleging that he has received ineffective mental health care.

Because Mr. Keith is incarcerated, this Court must screen the complaint before service on the defendant. 28 U.S.C. § 1915A(a), (c). I. Screening Standard When screening a complaint, the Court must dismiss any portion that is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.

28 U.S.C. § 1915A(b). To determine whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). See *Schillinger v. Kiley*, 954 F.3d 990, 993 (7th Cir. 2020).

Under that standard, a complaint must include "enough facts to state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). The Court construes pro se complaints liberally and holds them to a "less stringent standard than pleadings drafted by lawyers." *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017). II.

The Complaint Mr. Keith's factual allegations are accepted as true at the pleading stage. See *Lisby v. Henderson*, 74 F.4th 470, 472 (7th Cir. 2023). Mr. Keith names one defendant, mental health therapist Abby L. McNeely, and seeks monetary damages and "court assistance in getting proper mental health care." According to his complaint, Mr. Keith began speaking with family members in June 2024 about his struggles with mental health issues.

He experiences nightmares, anxiety, fatigue, difficulty focusing, and depression. They encouraged him to speak with a doctor about possibly getting on an anti-depressant. Mr. Keith agreed to seek mental health treatment, and he began seeing Ms. McNeely in August 2024. Ms. McNeely did not take Mr. Keith's struggles seriously. She was dismissive, failed to record in her notes his concerns about suicidality, laughed about him with coworkers, and gossiped with others that he was trying to obtain Prozac.

Mr. Keith has asked to be assigned to a different therapist, but he continues to be seen by Ms. McNeely. III. Discussion of Claims Based on the allegations in the complaint, an Eighth Amendment deliberate indifference claim shall proceed against Ms. McNeely. This is the only claim identified by the Court. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through April 22, 2026, in which to file a motion to reconsider the screening order.

The clerk is directed to update the docket to reflect the defendant's name is Abby L. McNeely. IV. Conclusion and Service of Process An Eighth Amendment deliberate indifference claim shall proceed against the defendant.

The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendant Abby McNeely in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt. [1], exhibits, dkt. [1-2], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order.

The clerk is directed to serve Ms. McNeely, understood to be a Centurion employee, electronically. A copy of this Order and the process documents shall also be served on Centurion electronically. Centurion is ORDERED to provide the last known home address of Ms. McNeely if she does not waive service if they have such information. If Ms. McNeely is employed by another company besides Centurion, Centurion shall provide the name of her employer to the Court.

This information shall be filed ex parte. Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure. SO ORDERED. Date: 4/6/2026 Sjamu Patrick Hanley James Patrick Hanlon United States District Judge Southern District of Indiana Distribution: REESE LEVI KEITH 220066 Wabash Valley Correctional Facility 6908 S. Old US Hwy 41 Carlisle, IN 47838 Electronic service to Centurion Abby L. McNeely