

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Santanyo Lewis v. Dr. Laurel R. Harry et al.

Lewis · No. 2:25cv1010 · Decided March 18, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania granted Santanyo Lewis's motions to extend time and to file a second amended complaint, but dismissed the second amended complaint under 28 U.S.C. § 1915(e)(2) as frivolous, malicious, and/or failing to state a claim. The court adopted the magistrate judge's Report and Recommendation, dismissed most claims with prejudice, and dismissed claims concerning current medical treatment at SCI-Coal Township without prejudice to pursuing them in the Middle District of Pennsylvania. The court also denied the request for a temporary restraining order without prejudice to seeking appropriate relief in that district.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	David Stewart Cercone
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	March 18, 2026
DOCKET	2:25cv1010
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action in which the district court conducted de novo review of a magistrate judge's report and recommendation, granted leave to file a second amended complaint, construed the second amended complaint as objections, dismissed it under 28 U.S.C. § 1915(e)(2), and denied a temporary restraining order.
STANDARD OF REVIEW	De novo review of the pleadings, documents, and magistrate judge's report and recommendation.
PRECEDENTIAL VALUE	unpublished
PARTIES	Santanyo Lewis v. Dr. Laurel R. Harry, Micheal Wenerowics, Christopher Oppman, Erica Bennings, Michael Zaken, Mark Dialesandro, John Doe, K. Patterson, Ross Smith, John Doe, Jane Doe, Jennifer Beers

TOPICS

prisoners rights

section 1983

civil rights

motion to amend

injunctions

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

medical care in prisons

QUESTIONS PRESENTED

1. Whether Lewis's proposed second amended complaint stated a claim sufficient to avoid dismissal under 28 U.S.C. § 1915(e)(2).
2. Whether the allegations against Nurse Beers concerning the transfer checklist and delayed treatment stated an Eighth Amendment claim.
3. Whether the allegations against other defendants established personal involvement through failure to supervise or review the conduct of others.
4. Whether Lewis was entitled to a temporary restraining order or other injunctive relief in this action.

HOLDINGS

1. The second amended complaint was dismissed under 28 U.S.C. § 1915(e)(2) as frivolous, malicious, and/or for failure to state a claim upon which relief may be granted.
2. The allegations against Nurse Beers did not state a sufficient Eighth Amendment claim because she essentially followed Dr. Chang's progress notes, and the pleadings and records did not establish that her conduct was unreasonable or inappropriate.
3. Any Eighth Amendment claim against Nurse Beers based on delayed treatment attributable to the transfer checklist was precluded because the screening nurse reviewed the relevant medical records and independently decided not to refer them for preparation of a treatment plan.
4. The allegations concerning failure to supervise or adequately review others' conduct did not establish the required personal involvement and, to the extent they could be construed to overcome that deficiency, still failed because Lewis was under the care of a physician.

KEY QUOTATIONS

“This ruling is without prejudice to plaintiff asserting claims against a proper defendant or defendants in the Middle District of Pennsylvania related to his current medical treatment at SCI-Coal Township.” (3)

“The [23] Report and Recommendation of Magistrate Judge Kelly dated February 18, 2026, as augmented above is adopted as the opinion of the Court.” (4)

FACTUAL BACKGROUND

Lewis alleged that Nurse Jennifer Beers failed to complete a transfer form properly, contributing to delayed medical treatment. The court found that Beers essentially followed progress notes prepared by Dr. Chang and that the allegations and accompanying records did not show her conduct was unreasonable or inappropriate. The

court also relied on the fact that screening nurse Mark Solkowski reviewed Lewis's medical records, including allegedly abnormal test results, but did not refer them for preparation of a treatment plan. Lewis additionally asserted failure-to-supervise or inadequate-review theories against other defendants.

PROCEDURAL HISTORY

Lewis commenced the action on July 18, 2025, seeking to proceed in forma pauperis. The matter was referred to Magistrate Judge Maureen P. Kelly, whose February 18, 2026 report and recommendation recommended dismissal of the amended complaint under 28 U.S.C. § 1915(e)(2). Lewis sought additional time and leave to file a second amended complaint. The district court granted both motions, treated the second amended complaint as objections, conducted de novo review, adopted the report and recommendation as augmented, dismissed the second amended complaint, and denied temporary injunctive relief.

DISPOSITION

other

REMAND INSTRUCTIONS

The dismissal was without prejudice to Lewis asserting claims against a proper defendant or defendants in the Middle District of Pennsylvania concerning his current medical treatment at SCI-Coal Township. All other claims were dismissed with prejudice. The temporary restraining order was denied without prejudice to seeking appropriate injunctive relief in the Middle District of Pennsylvania and otherwise dismissed with prejudice.

CASES CITED

- Durmer v. O'Carroll, 991 F.2d 64, 69 (3d Cir. 1993)

OPINION

FOR THE WESTERN DISTRICT OF PENNSYLVANIA SANTANYO LEWIS,)) Plaintiff,)) v.) 2:25cv1010) Electronic Filing DR. LAUREL R. HARRY Secretary of) corrections, MICHEAL WENEROWICS) Executive secretary of corrections,) CHRISTOPHER OPPMAN Deputy) secretary of administration, ERICA) BENNINGS Bureau of health care services) director, MICHAEL ZAKEN Facility) manager, MARK DIALESANDRO) Deputy superintendent of centralized) services, JOHN DOE Chief of clinical) services, K. PATTERSON Business office) manager, ROSS SMITH Corrections) healthcare administrator, JOHN DOE) Medical records director, JANE DOE) Medical records technician, JENNIFER) BEERS Nurse,)) Defendants.) MEMORANDUM ORDER Plaintiff Santanyo Lewis (“Plaintiff”) commenced this prisoner civil rights action on July 18, 2025, pursuant to a motion to proceed in forma pauperis.

The case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D. The Magistrate Judge's Report and Recommendation (ECF No. 23) filed on

February 18, 2026, recommended pursuant to 28 U.S.C. § 1915(e)(2) that [18] plaintiff's Amended Complaint be dismissed as frivolous, malicious, and/or for failure to state a claim upon which relief may be treatment at SCI-Coal Township; and that all other claims be dismissed with prejudice.

Plaintiff was informed that objections to the Report and Recommendation were due by March 9, 2026. In response, plaintiff filed a motion for an extension of time, advising that he had submitted a proposed Second Amended Complaint, which was placed in the prison mail box on March 3, 2026.

The motion sought an extension "until this court receives [plaintiff's] Proposed Second Amended Complaint," a tactic which plaintiff employed when faced with the first Report and Recommendation on these matters. He also submitted a motion for leave to file a Second Amended Complaint, which was received on the same date as the motion to extend.

The motion for leave to file presents the Second Amended Complaint for the court's consideration. The court has treated these submissions as a motion for leave to amend and as objections to the pending Report and Recommendation based on the new averments in the proposed Second Amended Complaint. Plaintiff's objections are unavailing.

Although plaintiff seeks to bolster his allegations against defendant Nurse Beers for failing to complete his transfer form properly, these allegations are not sufficient to overcome the fact that Nurse Beers essentially just followed the progress notes prepared by Dr. Chang and there is nothing in plaintiff's allegations or the accompanying records to establish that doing so was unreasonable or inappropriate.

Moreover, any Eight Amendment claim against Nurse Beers for delayed treatment due to the transfer checklist is precluded by the fact that the screening nurse at SCI Coal Township, Mark Solkowski, reviewed plaintiff's medical records, including the allegedly abnormal test results, and decided not to refer those records to his superior for preparation of a treatment plan.

As noted by the Magistrate Judge, "any delay in Plaintiff's treatment at SCI-Coal Township was 2 Recommendation (Doc. No. 23) at p. 18. Finally, plaintiff's efforts to overcome the lack of personal involvement by many of the defendants for failure to supervise and/or review adequately the conduct of others fall short for the same reasons set forth in the Report and Recommendation.

And to the extent the allegations can creatively be construed as overcoming this deficiency, they still fail because plaintiff was under the care of a physician. *Id.* at p. 13 (citing *Durmer v. O'Carroll*, 991 F.2d 64, 69 (3d Cir. 1993).

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered: AND NOW, this 18th day of March, 2026, IT IS

ORDERED that [24] plaintiff's motion to extend time to submit a Second Amended Complaint be, and the same hereby is, granted; IT FURTHER IS ORDERED that [25] plaintiff's motion for leave to file a Second Amended Complaint be, and the same hereby is, granted; IT IS FURTHER ORDERED that upon due consideration of [25-1] plaintiff's Second Amended Complaint, which the court also has construed as plaintiff's objections to [23] the Magistrate Judge's Report and Recommendation of February 18, 2026, [25-1] the Second Amended Complaint be, and the same hereby is, dismissed pursuant to 28 U.S.C. § 1915(e)(2) as frivolous, malicious, and/or for failure to state a claim upon which relief may be granted.

This ruling is without prejudice to plaintiff asserting claims against a proper defendant or defendants in the Middle District of Pennsylvania related to his current medical treatment at SCI-Coal Township. All other claims are dismissed with prejudice; 3 FURTHER Temporary Restraining Order be, and the same hereby is, denied without prejudice to seeking injunctive relief in the Middle District of Pennsylvania, if appropriate, and otherwise dismissed with prejudice.

The [23] Report and Recommendation of Magistrate Judge Kelly dated February 18, 2026, as augmented above is adopted as the opinion of the Court. s/David Stewart Cercone David Stewart Cercone Senior United States District Judge cc: The Honorable Maureen P. Kelly United States Magistrate Judge (Via CM/ECF electronic mail) Santanyo Lewis QB8957 SCI Coal Township 1 Kelley Drive Coal Township, PA 17866 (Via United States Postal Service mail) 4