

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Terenzio v. Urena

No. 24-1244 (1st Cir. Dec. 18, 2025) · No. 24-1244 · Decided December 18, 2025

SUMMARY

The United States Court of Appeals for the First Circuit affirmed dismissal of claims brought by representatives of veterans who died after contracting COVID-19 at the Soldiers' Home in Chelsea, Massachusetts. The court held that the complaint did not plausibly allege that the defendant officials directly caused the alleged harms or establish an applicable exception to that requirement, and that qualified immunity barred the claims. The opinion also addressed special-relationship and state-created-danger theories under substantive due process.

CASE DETAILS

COURT	United States Court of Appeals for the First Circuit
WRITING FOR THE COURT	Barron, Chief Judge; David J. Barron, Chief Judge; Kendra N. Rikelman, Circuit Judge; Bruce M. Selya, Circuit Judge
JURISDICTION	United States Court of Appeals for the First Circuit
DECIDED	December 18, 2025
DOCKET	24-1244
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiffs appealed the District of Massachusetts's dismissal under Federal Rule of Civil Procedure 12(b)(6) of their 42 U.S.C. § 1983 substantive due process claims against state officials in their individual capacities on qualified-immunity grounds.
STANDARD OF REVIEW	De novo review of dismissal under Rule 12(b)(6), construing well-pleaded facts in the light most favorable to the plaintiffs; the court may affirm on any ground apparent from the record.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Delma Terenzio, as Personal Representative of the Estate of Joseph A. Terenzio, Thomas Sullivan, as Personal Representative of the Estate of John J. Sullivan, Edward Poulin, as Personal Representative of the Estate of Maurice C. Poulin v. Francisco Urena, Marylou Sudders, Cheryl Lussier Poppe, John Doe 1, Jane Doe 1, John Doe 2, Jane Doe 2

TOPICS

substantive due process

qualified immunity

section 1983

appellate procedure

standard of review

PRACTICE AREAS

constitutional law

civil rights

qualified immunity

health law

appellate procedure

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged that the defendants directly caused the veterans' alleged constitutional injuries or satisfied an exception to the general direct-causation requirement for substantive due process claims.
2. Whether the defendants were entitled to qualified immunity because the complaint failed to allege a constitutional violation and failed to show that the alleged conduct violated clearly established law.
3. Whether the district court properly dismissed the COVID-19-response and living-conditions claims under Rule 12(b)(6).

HOLDINGS

1. As a general matter, a substantive due process claim requires a plaintiff to plausibly allege that the state actor named as the defendant directly caused the alleged harm. The complaint's allegations that the defendants failed to protect residents from COVID-19 and failed to provide adequate living conditions did not allege that the defendants directly harmed the veterans.
2. A plaintiff may sometimes state a substantive due process claim without alleging that the defendant directly caused the harm by showing either a special relationship imposing an affirmative duty to protect or that the defendant created the danger that resulted in harm by a private actor. The plaintiffs did not adequately plead or rely on either exception on appeal.
3. The defendants were entitled to qualified immunity at the motion-to-dismiss stage because the complaint failed to plausibly allege a federal constitutional violation and did not show that the alleged conduct contravened clearly established law.

KEY QUOTATIONS

“As a general matter (save for exceptions discussed further below), to state a substantive due process claim, a plaintiff must plausibly allege that the person acting under color of state law named as the defendant directly caused the harm in question.” (6)

“We review the dismissal of a complaint under Rule 12(b)(6) de novo.” (7)

“But the prohibition on family visitation does not itself suffice plausibly to show that the Soldiers Home “force[d]” the veterans, “against [their] will, to become dependent upon it.” (12)

FACTUAL BACKGROUND

Joseph A. Terenzio, John J. Sullivan, and Maurice C. Poulin were veterans residing at the state-run Soldiers' Home in Chelsea, Massachusetts, where they contracted COVID-19 and died in spring 2020. Their estate representatives alleged that state officials failed to implement adequate COVID-19 protections, permitted commingling of sick and healthy residents and employees, and maintained unsafe and unsanitary conditions. The complaint also alleged that residents were left in excrement, rooms were not properly cleaned, residents were improperly restrained, and illegal drugs entered the facility.

PROCEDURAL HISTORY

Representatives of three veterans' estates filed an operative complaint alleging that Massachusetts officials violated the veterans' substantive due process rights through their response to COVID-19 and the living conditions at the Soldiers' Home in Chelsea. The district court granted the defendants' motion to dismiss, concluding that the COVID-19 claims did not adequately identify each defendant's involvement and that the living-conditions claims did not sufficiently allege individualized harm or a clearly established constitutional violation. The First Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- DePoutot v. Raffaely, 424 F.3d 112, 118 (1st Cir. 2005)
- DeShaney v. Winnebago County Department of Social Services, 489 U.S. 189, 197 (1989)
- Maldonado v. Fontanes, 568 F.3d 263, 268-269 (1st Cir. 2009)
- Ocasio-Hernández v. Fortuño-Burset, 640 F.3d 1, 7 (1st Cir. 2011)
- Young v. Wall, 642 F.3d 49, 52 (1st Cir. 2011)
- Souza v. Pina, 53 F.3d 423, 426 (1st Cir. 1995)
- Gutierrez-Rodriguez v. Cartagena, 882 F.2d 553, 561 (1st Cir. 1989)
- Springer v. Seaman, 821 F.2d 871, 879 (1st Cir. 1987)
- Commonwealth v. Clinton, 207 N.E.3d 487, 507 (Mass. 2023)
- United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990)
- Woodson v. City of Richmond, 88 F. Supp. 3d 551, 562 (E.D. Va. 2015)
- Terenzio v. Urena, No. 23-cv-10462, 2024 WL 555771, at *3 (D. Mass. Feb. 12, 2024)
- Monahan v. Dorchester Counseling Center, Inc., 961 F.2d 987, 991-993 (1st Cir. 1992)
- Irish v. Fowler, Irish v. Fowler, 979 F.3d 65, 73-75 (1st Cir. 2020)
- Harper v. Cserr, 544 F.2d 1121 (1st Cir. 1976)

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