

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS

Sean Rose v. Jenkins, et al.

Rose v. Jenkins · No. 3:26-cv-03013 · Decided May 29, 2026

SUMMARY

The United States District Court for the Central District of Illinois conducted a merit review under 28 U.S.C. § 1915A of Sean Rose’s pro se § 1983 complaint. The court allowed Eighth Amendment claims for deliberate indifference to a serious medical need and verbal harassment or humiliation, and a First Amendment retaliation claim against Defendant Jenkins in her individual capacity, while dismissing the warden as a defendant and directing service on Jenkins.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois
WRITING FOR THE COURT	Sara Darrow
JURISDICTION	United States District Court for the Central District of Illinois, Springfield Division
DECIDED	May 29, 2026
DOCKET	3:26-cv-03013
DISPOSITION	other
PROCEDURAL POSTURE	Merit review of a pro se incarcerated plaintiff’s complaint under 28 U.S.C. § 1915A before service of process.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court accepts factual allegations as true and liberally construes them in the plaintiff’s favor, but dismisses claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The complaint must allege facts sufficient to state a claim that is plausible on its face.
PRECEDENTIAL VALUE	Nonprecedential district-court merit review order
PARTIES	Sean Rose v. Jenkins, et al.

TOPICS

- prisoners rights
- section 1983
- civil rights
- first amendment
- cruel and unusual punishment

PRACTICE AREAS

Prisoner civil rights

Constitutional law

Civil procedure

Medical care in correctional facilities

QUESTIONS PRESENTED

1. Whether Rose's allegations stated an Eighth Amendment claim for deliberate indifference to a serious medical need against Jenkins.
2. Whether Rose's allegations of verbal harassment and humiliation stated an Eighth Amendment claim against Jenkins.
3. Whether Rose's allegations that Jenkins retaliated against him for filing grievances and complaining about medical treatment stated a First Amendment retaliation claim.
4. Whether Rose stated a claim against the warden based solely on the warden's supervisory position.

HOLDINGS

1. Rose stated an Eighth Amendment claim for deliberate indifference to a serious medical need against Jenkins in her individual capacity.
2. Rose stated an Eighth Amendment claim against Jenkins based on the alleged verbal harassment and humiliation.
3. Rose stated a First Amendment retaliation claim against Jenkins in her individual capacity based on allegations that Jenkins acted because Rose filed grievances and complained about inadequate medical treatment.
4. Rose failed to state a claim against the warden because he made no allegations against the warden and could not impose liability merely because the warden was in charge.

KEY QUOTATIONS

“Plaintiff states an Eighth Amendment claim for deliberate indifference to a serious medical need, an Eighth Amendment claim based on the alleged verbal harassment and humiliation, and a First Amendment retaliation claim against Defendant Jenkins in her individual capacity.”

“Plaintiff does not make any allegations against Defendant Warden, and he cannot prevail against this defendant just because he may have been in charge.”

FACTUAL BACKGROUND

Rose, who was incarcerated at Western Illinois Correctional Center, alleged that Jenkins refused to provide treatment for a suspected sexually transmitted disease that he believed he contracted after being sexually abused by a guard at another prison. He further alleged that Jenkins loudly questioned him about his symptoms in front of officials and inmates, called him a derogatory name, and encouraged him to kill himself. Rose connected some of Jenkins's conduct to his grievances and complaints about the lack of medical treatment under the Prison Rape Elimination Act.

PROCEDURAL HISTORY

Sean Rose filed a 42 U.S.C. § 1983 action alleging denial of medical treatment, verbal harassment and humiliation, and retaliation by prison personnel. The court screened the complaint under 28 U.S.C. § 1915A, allowed specified claims against Defendant Jenkins to proceed in her individual capacity, dismissed the claims against the warden for failure to allege personal involvement, terminated the warden as a defendant, and directed service on Jenkins.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. United States, 721 F.3d 418, 422 (7th Cir. 2013)
- Ashcroft v. Iqbal, 556 U.S. 662, 676 (2009)

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