

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, BOWLING GREEN DIVISION

Jeremy Bell v. Rita, Nurse at Russell County Detention Center, et al.

Bell v. Rita · No. 1:25-CV-00168-JHM · Decided March 11, 2026

SUMMARY

The United States District Court for the Western District of Kentucky denied motions to dismiss a pro se prisoner’s 42 U.S.C. § 1983 action alleging deliberate indifference to serious medical needs. The court held that exhaustion of administrative remedies and the statute of limitations were affirmative defenses that could not be resolved on the pleadings, particularly because the limitations period may be tolled during administrative exhaustion.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Bowling Green Division
WRITING FOR THE COURT	Joseph H. McKinley Jr.
JURISDICTION	United States District Court for the Western District of Kentucky, Bowling Green Division
DECIDED	March 11, 2026
DOCKET	1:25-CV-00168-JHM
DISPOSITION	other
PROCEDURAL POSTURE	Pro se prisoner civil-rights action removed from Kentucky state court. Defendants moved to dismiss under Federal Rules of Civil Procedure 8(c) and 12(b)(6), arguing failure to exhaust administrative remedies and expiration of the statute of limitations.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court construes the complaint in the plaintiff's favor, accepts well-pleaded factual allegations as true, and determines whether the complaint states a plausible claim for relief. Matters outside the pleadings generally require conversion to summary judgment under Rule 12(d).
PRECEDENTIAL VALUE	Unpublished district court memorandum opinion; generally persuasive rather than binding precedent.

PARTIES

Jeremy Bell v. Rita, Nurse at Russell County Detention Center, Doctor,
Unknown First Name, All Other Unknown Individuals

TOPICS

motions to dismiss

affirmative defenses

statute of limitations

prisoners rights

section 1983

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether the defendants could obtain dismissal under Rule 12(b)(6) based on the affirmative defense that Bell failed to exhaust administrative remedies under the Prison Litigation Reform Act.
2. Whether the defendants could obtain dismissal under Rule 12(b)(6) based on the statute of limitations when the record did not establish the dates or duration of administrative exhaustion tolling.
3. Whether the court should convert the Rule 12(b)(6) motions into motions for summary judgment based on matters outside the pleadings before discovery.

HOLDINGS

1. Failure to exhaust administrative remedies under the PLRA is an affirmative defense, and a prisoner is not required to plead or prove exhaustion in the complaint. Because resolution of the defense generally requires evidence outside the pleadings, the defense could not support dismissal at this stage.
2. Dismissal based on the statute of limitations was unwarranted because the record did not establish whether administrative grievances were filed or when they were filed or completed, and the limitations period is tolled while a prisoner exhausts required administrative remedies.
3. The court declined to convert the motions to dismiss into motions for summary judgment because they relied on matters outside the pleadings and the parties had not yet had an opportunity to conduct discovery.

KEY QUOTATIONS

“failure to exhaust is an affirmative defense under the PLRA, and that inmates are not required to specially plead or demonstrate exhaustion in their complaints.” (PageID.51)

“Without evidence of whether administrative grievances were filed or when any such administrative grievances may have been filed or completed, the Court cannot calculate how long the statute of limitations may have been tolled or whether the statute of limitations has run on Plaintiffs claim for deliberate indifference to serious medical needs.” (PageID.52)

“The Court will therefore deny Defendants’ motions to dismiss on the grounds of non- exhaustion of administrative remedies and expiration of the statute of limitations.” (PageID.52)

FACTUAL BACKGROUND

Bell, a prisoner, filed a handwritten § 1983 complaint concerning alleged deliberate indifference to serious medical needs at the Russell County Detention Center. The complaint did not allege facts regarding exhaustion of administrative remedies. Defendants argued that the claims were unexhausted and untimely, but the record did not establish when any grievances were filed or completed, making it impossible to determine the effect of administrative exhaustion on the limitations period.

PROCEDURAL HISTORY

Bell filed a handwritten 42 U.S.C. § 1983 complaint in Russell Circuit Court on October 7, 2025. After the state court granted in forma pauperis status, defendants removed the action to the Western District of Kentucky under 28 U.S.C. §§ 1331 and 1441 and filed motions to dismiss before an answer or discovery. The district court declined to convert the motions into motions for summary judgment and denied them, while noting that it would conduct the required screening under 28 U.S.C. § 1915A.

DISPOSITION

other

CASES CITED

- Snelling v. Klee, No. 2:15-CV-13797, 2016 WL 1625331, at *2 (E.D. Mich. Apr. 21, 2016)
- Smallwood v. Smith, No. 1:24-CV-76, 2024 WL 2931405, at *1 n.3 (S.D. Ohio June 11, 2024)
- League of United Latin American Citizens v. Bradesen, 500 F.3d 523, 527 (6th Cir. 2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-679 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Tellabs, Inc. v. Makor Issues & Rights, Ltd., 551 U.S. 308, 322 (2007)
- Bassett v. National Collegiate Athletic Association, 528 F.3d 426, 430 (6th Cir. 2008)
- Jones v. Bock, 549 U.S. 199, 216 (2007)
- Rembisz v. Lew, 590 F. App'x 501, 504 (6th Cir. 2014)
- LaFountain v. Martin, 334 F. App'x 738, 740 (6th Cir. 2009)
- Wysocki v. International Business Machine Corp., 607 F.3d 1102, 1104 (6th Cir. 2010)
- Ramos v. Wal-Mart Stores, Inc., No. 3:21-CV-00152, 2022 WL 2921133, at *4 (M.D. Tenn. July 25, 2022)
- Surles v. Andison, 678 F.3d 452, 458 (6th Cir. 2012)
- Brown v. Morgan, 209 F.3d 595, 596 (6th Cir. 2000)
- Thomas v. Slusher, No. 1:17-cv-794, 2018 WL 931301, at *4 (N.D. Ohio Feb. 16, 2018)