

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Maurice Treakle v. Frederick J. Nahas, et al.

Civil Action No. 25-14846 (RMB-MJS) · No. 1:25-cv-14846 · Decided February 5, 2026

SUMMARY

The United States District Court for the District of New Jersey grants Maurice Treakle’s application to proceed in forma pauperis but screens and dismisses his Eighth Amendment deliberate-indifference claims without prejudice. The court finds that the complaint does not adequately allege that Dr. Nahas was a state actor or that the institutional defendants knowingly disregarded Treakle’s serious medical needs. The court also denies Treakle’s motion for appointment of counsel without prejudice.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Renée Marie Bumb
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	February 5, 2026
DOCKET	1:25-cv-14846
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se prisoner filed a civil-rights complaint under 42 U.S.C. § 1983, an application to proceed in forma pauperis, and a motion for appointment of counsel. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2)(B), dismissed the claims without prejudice for failure to state a claim, and denied appointment of counsel without prejudice.
STANDARD OF REVIEW	The court applied the Rule 12(b)(6) plausibility standard during screening under 28 U.S.C. § 1915(e)(2)(B)(ii), accepting well-pleaded factual allegations as true and liberally construing the pro se complaint.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion

TOPICS

- section 1983
- prisoners rights
- cruel and unusual punishment
- motions to dismiss
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff's complaint stated a plausible 42 U.S.C. § 1983 claim against Dr. Nahas where the complaint did not establish whether Nahas acted under color of state law.
2. Whether Plaintiff stated an Eighth Amendment deliberate-indifference claim against the institutional defendants.
3. Whether Plaintiff was entitled to appointment of counsel in the civil-rights action.
4. Whether Plaintiff qualified to proceed in forma pauperis.

HOLDINGS

1. Plaintiff satisfied the requirements of 28 U.S.C. § 1915(a) by submitting an affidavit of inability to pay and a certified six-month inmate trust-account statement; the application to proceed in forma pauperis was therefore granted.
2. After granting in forma pauperis status, the district court was required to screen the complaint under 28 U.S.C. § 1915(e)(2)(B), applying the same failure-to-state-a-claim standard used under Federal Rule of Civil Procedure 12(b)(6).
3. The claim against Dr. Nahas failed because the complaint did not allege sufficient facts showing that Nahas acted under color of state law or that his conduct was attributable to the State; the claim was dismissed without prejudice.
4. The claims against Atlantic County Medical Center, Southwoods, and Bayside State Prison failed because Plaintiff did not allege sufficient facts showing that the institutional defendants knew of and deliberately disregarded his serious medical needs; the claims were dismissed without prejudice.
5. Appointment of counsel was not warranted because, although Plaintiff demonstrated indigency, he failed to state a claim; the motion for appointment of counsel was denied without prejudice.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (¶ 3)

“A defendant must know of and disregard excessive risk to inmate health or safety.” (¶ 7)

FACTUAL BACKGROUND

Plaintiff alleged that Dr. Frederick J. Nahas performed a biopsy or surgery in 2017 or 2018 and inserted a port into Plaintiff's chest, which allegedly remained for approximately six years. Plaintiff claimed that he experienced pain and breathing problems and that the port was eventually removed in 2024 after he was transferred among several correctional facilities. He alleged that institutional defendants ignored his complaints and sought damages and injunctive relief.

PROCEDURAL HISTORY

Plaintiff filed the complaint on or about August 21, 2025, together with an in forma pauperis application. The court found that Plaintiff satisfied the requirements for in forma pauperis status. Upon mandatory screening, the court dismissed the claims against all defendants without prejudice and denied Plaintiff's motion for appointment of counsel without prejudice.

DISPOSITION

dismissed

CASES CITED

- Schreane v. Seana, 506 F. App'x 120, 122 (3d Cir. 2012)
- Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Lugar v. Edmondson Oil Co., 457 U.S. 922, 936-37 (1982)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- Pearson v. Prison Health Serv., 850 F.3d 526, 534 (3d Cir. 2017)
- Farmer v. Brennan, 511 U.S. 825, 837 (1994)
- Montgomery v. Pinchak, 294 F.3d 492, 498 (3d Cir. 2002)
- Tabron v. Grace, 6 F.3d 147, 153, 155-57 (3d Cir. 1993)
- Cuevas v. United States, 422 F. App'x 142, 144-45 (3d Cir. 2011)