

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Andrew G. Miller v. Dan Caro, et al.

Miller v. Caro · No. 3:25-cv-215 · Decided January 22, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania overruled Andrew G. Miller’s objections to a magistrate judge’s Report and Recommendation and adopted that recommendation. The court dismissed his 42 U.S.C. § 1983 claims concerning alleged deliberate indifference to health and safety and medical needs, dismissed the complaint with prejudice without leave to amend, and ordered the case closed.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Nora Barry Fischer
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	January 22, 2026
DOCKET	3:25-cv-215
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's report and recommendation after the plaintiff filed objections to the recommended dismissal of his prisoner civil-rights complaint.
STANDARD OF REVIEW	De novo review of the magistrate judge's report and recommendation and objections.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Andrew G. Miller v. Dan Caro, Amanda Croyle, Roxanne Playso, Brian Foxman

TOPICS

- section 1983
- prisoners rights
- cruel and unusual punishment
- civil procedure
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Miller's complaint stated plausible § 1983 claims against Deputy Superintendent Caro based on deliberate indifference to health and safety.
2. Whether Miller stated an Eighth Amendment § 1983 claim against Croyle and Playso based on deliberate indifference to medical needs.
3. Whether the complaint should be dismissed with prejudice and without leave to amend because amendment would be futile.

HOLDINGS

1. The complaint failed to state a plausible § 1983 claim against Caro because it alleged no facts suggesting that Caro was deliberately indifferent to Miller's health and safety.
2. The complaint failed to state Eighth Amendment § 1983 claims against Croyle and Playso because the allegations did not establish deliberate indifference to Miller's medical needs.
3. Dismissal with prejudice and denial of leave to amend were proper because any amendment would be futile.

KEY QUOTATIONS

“At most, Plaintiff alleges negligence claims which will not support a civil action pursuant to § 1983.”

“Plaintiff’s Complaint [6] is **DISMISSED**, with prejudice and leave to amend is denied, as futile”

FACTUAL BACKGROUND

Miller, an incarcerated plaintiff, brought claims under 42 U.S.C. § 1983 against prison and healthcare personnel. The court concluded that the allegations against Deputy Superintendent Caro did not suggest deliberate indifference to Miller's health and safety, and that the allegations against Croyle and Playso did not establish deliberate indifference to his medical needs. The court characterized the allegations, at most, as negligence or disagreement concerning medical treatment and noted that Miller did not object to the recommendation concerning Prothonotary Foxman.

PROCEDURAL HISTORY

Magistrate Judge Keith Pesto recommended dismissal of Miller's complaint after screening under the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2), concluding that it failed to state a claim and that amendment would be futile. Miller timely objected. The case was reassigned to District Judge Nora Barry Fischer, who independently reviewed the record, adopted the report and recommendation, overruled the objections, dismissed the complaint with prejudice, denied leave to amend, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Farmer v. Brennan, 511 U.S. 825, 835-36 (1994)
- Spruill v. Gillis, 372 F.3d 218, 235 (3d Cir. 2004)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA ANDREW G. MILLER)) Plaintiff,) Civil Action No. 3:25-cv-215) District Judge Nora Barry Fischer v.) Magistrate Judge Keith Pesto) DAN CARO, Deputy Superintendent) For Centralized Services, (D.S.C.S.),) AMANDA CROYLE, Correctional) Healthcare Administrator,) ROXANNE PLAYSO,) Physician Assistant at Sommerset State) Correctional Institution,) BRIAN FOXMAN, Prothonotary) For Somerset County Pennsylvania) Defendants.

ORDER OF COURT AND NOW, this 22nd day of January, 2026, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Keith Pesto on August 27, 2025, (Docket No. 7), recommending that after screening Plaintiff Andrew G. Miller's Complaint under the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2), that the Complaint be dismissed for failure to state a claim, and without leave to amend, as any amendment would be futile, and Plaintiff's Objections which were timely filed on November 6, 2025, (Docket No. 11), this matter having been reassigned to the undersigned for prompt disposition of the matter on January 20, 2026, and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation, (Docket No. 7), which is ADOPTED as the opinion of this Court, IT IS HEREBY ORDERED that Plaintiff's Objections [11] are OVERRULED, for the reasons set forth in the Report and Recommendation.

To that end, Plaintiff has failed to demonstrate that he has stated plausible § 1983 claims against Deputy Superintendent Caro because he (Plaintiff) has not alleged any facts to suggest that Defendant Caro was deliberately indifferent to Plaintiff's health and safety.

In addition, Plaintiff has failed to state a § 1983 claim under the Eighth Amendment against Healthcare Administrator Croyle and Physician Assistant Playso as Plaintiff's allegations fail to establish that they were deliberately indifferent to Plaintiff's medical needs sufficient to hold them liable under § 1983, see e.g., Farmer v. Brennan, 511 U.S. 825, 835-36 (1994).

At most, Plaintiff alleges negligence claims which will not support a civil action pursuant to § 1983. See Spruill v. Gillis, 372 F.3d 218, 235 (3d Cir. 2004) (neither claims of medical malpractice nor disagreements regarding proper medical treatment are actionable).

Finally, Plaintiff did not raise objections to the Magistrate Judge's Report and Recommendation relating to his claim against Prothonotary Foxman; IT IS FURTHER ORDERED that Plaintiff's Complaint [6] is DISMISSED, with prejudice and leave to amend is denied, as futile; IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED; and, FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure. s/ Nora Barry Fischer Nora Barry Fischer Senior U.S. District Judge cc/ecf: United States Magistrate Keith Pesto Andrew G. Miller LC4126 SCI Somerset 1590 Walters Mill Road Somerset, PA 15510-0001 Via First Class Mail