

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Hubert Duwayne Hill v. Dr. Cleveland Rayford, Dr. Ampadu, Jody
Collman, Tom Schmidt, Matt Schwendeman, Jacob Carlisle, John
Doe Deputy, and Sheriff Jeff Connor

Hill · No. 25-cv-333-NJR · Decided April 29, 2026

SUMMARY

The court partially granted Hubert Duwayne Hill’s motion to amend his § 1983 complaint. It permitted substitution of Lieutenant Ryan Dawdy for the John Doe deputy and added a Fourteenth Amendment claim against Wellpath Inc. based on alleged delays in specialist referrals, but denied leave to add claims against Dr. Michael Schackter because the allegations amounted at most to negligence. The court directed filing and service of the amended complaint.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Nancy J. Rosenstengel
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	April 29, 2026
DOCKET	25-cv-333-NJR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to amend his § 1983 complaint and stipulated to identify the John Doe deputy. The court reviewed the proposed new claims under 28 U.S.C. § 1915A and granted the motion in part and denied it in part.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the court's sound discretion, subject to considerations including undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, and futility. Proposed amended claims were also screened under 28 U.S.C. § 1915A.
PRECEDENTIAL VALUE	District court memorandum and order; no precedential status stated.
PARTIES	Hubert Duwayne Hill v. Dr. Cleveland Rayford, Dr. Ampadu, Jody Collman, Tom Schmidt, Matt Schwendeman, Jacob Carlisle, John Doe

TOPICS

motion to amend section 1983 fourteenth amendment civil procedure health law

PRACTICE AREAS

civil procedure constitutional law civil rights health law

QUESTIONS PRESENTED

1. Whether Hill should be permitted to amend his complaint to identify the John Doe deputy as Ryan Dawdy and clarify that deputy's alleged use of force.
2. Whether Hill's proposed allegations against Dr. Michael Schackter stated a Fourteenth Amendment medical-care claim.
3. Whether Hill adequately alleged a Monell claim against Wellpath Inc. based on a practice of reviewing and denying specialist referrals.

HOLDINGS

1. The court granted leave to amend to identify Lieutenant Ryan Dawdy as the John Doe deputy and to clarify his alleged involvement in the use of force.
2. The proposed claim against Dr. Schackter was futile and did not state a Fourteenth Amendment claim because the allegations showed, at most, negligence rather than purposeful, knowing, or reckless conduct that was objectively unreasonable.
3. The court allowed Hill to add a Fourteenth Amendment Monell claim against Wellpath Inc. based on an alleged practice of reviewing and denying referrals to specialists that caused delays in medical care.

KEY QUOTATIONS

“The decision to grant a plaintiff leave to amend a complaint under Rule 15(a)(2) is within the sound discretion of the Court.” (at 2)

“Negligence and gross negligence do not support a claim under the Fourteenth Amendment.” (at 2)

FACTUAL BACKGROUND

Hill was a pretrial detainee who alleged inadequate medical treatment, excessive force during an incident on January 16, 2025, and retaliation for grievances concerning his medical care. He alleged that Lieutenant Ryan Dawdy twisted his arm, stomped on his head, and pressed his foot against his jaw. Hill also alleged that Dr. Schackter prescribed medications for pain, including Nortriptilin and later Tramadol, and that Wellpath's referral-review practice delayed his referral to an orthopedic specialist for more than a year.

PROCEDURAL HISTORY

Hill, a pretrial detainee, brought constitutional claims under 42 U.S.C. § 1983. After screening under 28 U.S.C. § 1915A, the court allowed claims concerning inadequate medical treatment, excessive force, and retaliation to proceed, while dismissing claims against Wellpath Medical Provider and Sheriff Connor. Hill then moved to amend, identifying the John Doe deputy as Ryan Dawdy, adding allegations against Dr. Michael Schackter, and seeking to re-allege claims against Wellpath Inc.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to file the proposed Amended Complaint, substitute Lieutenant Ryan Dawdy for the John Doe Deputy, add Count 4 against Wellpath Inc., and serve Ryan Dawdy and Wellpath Inc. in accordance with the initial merits review order.

CASES CITED

- Pugh v. Tribune Co., 521 F.3d 686, 698 (7th Cir. 2008)
- Orix Credit Alliance, Inc. v. Taylor Mach. Works, Inc., 125 F.3d 468, 480 (7th Cir. 1997)
- Barry Aviation, Inc. v. Land O'Lakes Municipal Airport Comm'n, 377 F.3d 682, 687 (7th Cir. 2004)
- Miranda v. Cty. of Lake, 900 F.3d 335, 353-54 (7th Cir. 2018)