

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Sean D. Gates v. Andraos Zacknoun, et al.

Gates · No. 3:24-CV-704-JD-JEM · Decided February 11, 2026

SUMMARY

The United States District Court for the Northern District of Indiana grants the defendants’ motion for summary judgment and denies Sean D. Gates’s cross-motion in an Eighth Amendment prisoner-conditions case. The court holds that Gates failed to exhaust available administrative remedies because, after receiving no response to his grievance, he notified the warden rather than the facility’s Grievance Specialist as required by the Offender Grievance Process. The court directs the clerk to enter judgment for the defendants and close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Jon E. DeGuilio
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	February 11, 2026
DOCKET	3:24-CV-704-JD-JEM
DISPOSITION	other
PROCEDURAL POSTURE	The defendants moved for summary judgment on the affirmative defense that Gates failed to exhaust available administrative remedies under the Prison Litigation Reform Act. Gates filed a cross-motion for summary judgment. The court granted the defendants' motion, denied Gates's cross-motion, directed entry of judgment for the defendants, and closed the case.
STANDARD OF REVIEW	Summary judgment is proper when the record shows no genuine dispute of material fact and the moving party is entitled to judgment as a matter of law. On cross-motions, the court views the evidence and draws reasonable inferences in favor of the party opposing the motion under consideration. The defendants bore the burden of proving failure to exhaust because exhaustion is an affirmative defense.
PRECEDENTIAL VALUE	unpublished district court opinion

PARTIES

Sean D. Gates v. Andraos Zacknoun, Travis Terry

TOPICS

summary judgment

affirmative defenses

prisoners rights

cruel and unusual punishment

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the defendants were entitled to summary judgment because Gates failed to exhaust available administrative remedies before filing his prison-conditions action.
2. Whether Gates's notification to the warden, rather than to the Grievance Specialist, satisfied the Offender Grievance Process's notice requirement after he received no receipt or response to his grievance.
3. Whether Gates was entitled to summary judgment on his claim that he exhausted administrative remedies.

HOLDINGS

1. The defendants were entitled to summary judgment because Gates did not exhaust the available administrative remedies before filing suit.
2. Submitting a written notification to the warden did not satisfy the Offender Grievance Process's requirement that an inmate notify the Grievance Specialist when no receipt or response is received.
3. Gates was not entitled to summary judgment because exhaustion was an affirmative defense asserted by the defendants and the undisputed record established that he had not exhausted his available remedies.

FACTUAL BACKGROUND

Gates alleged that Correctional Officers Zacknoun and Terry failed to relieve severe pain caused by a black-box restraint during his transport from Indiana State Prison to Westville Correctional Facility. The prison grievance process required a formal grievance, a Level I appeal to the warden, and a Level II appeal to the Department Grievance Manager. Gates submitted a grievance to Westville on March 7, 2024, but, after receiving no receipt or response, sent a notification to the warden rather than to the Grievance Specialist. He provided no evidence that he sent the required notice to the Grievance Specialist.

PROCEDURAL HISTORY

Gates, an incarcerated plaintiff proceeding without counsel, sued Correctional Officers Andraos Zacknoun and Travis Terry under the Eighth Amendment. The defendants submitted grievance records, prison grievance policies, and affidavits, and moved for summary judgment based on failure to exhaust. Gates conceded that he had not fully exhausted a grievance but argued that he submitted a grievance and that administrative remedies

were unavailable because he received no response. The court concluded that he failed to comply with the grievance process's required notice procedure and entered judgment for the defendants.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- International Brotherhood of Electrical Workers, Local 176 v. Balmoral Racing Club, Inc., 293 F.3d 402, 404 (7th Cir. 2002)
- Eaton v. Onan Corp., 117 F. Supp. 2d 812, 818 (S.D. Ind. 2000)
- O'Regan v. Arbitration Forums, Inc., 246 F.3d 975, 983 (7th Cir. 2001)
- Goodman v. National Security Agency, Inc., 621 F.3d 651, 654 (7th Cir. 2010)
- Perez v. Wisconsin Department of Corrections, 182 F.3d 532, 535 (7th Cir. 1999)
- King v. McCarty, 781 F.3d 889, 893 (7th Cir. 2015)
- Lockett v. Bonson, 937 F.3d 1016, 1025, 1027 (7th Cir. 2019)
- Woodford v. Ngo, 548 U.S. 81, 102 (2006)
- Kaba v. Stepp, 458 F.3d 678, 684 (7th Cir. 2006)
- Lipscomb v. Galipeau, No. 3:22-CV-106-JD-MGG, 2023 WL 1778435, at *3 (N.D. Ind. Feb. 6, 2023)
- Rambo v. Smiley, No. 3:18-CV-740-JD-MGG, 2020 WL 1157865, at *4 (N.D. Ind. Mar. 10, 2020)
- Thomas v. Neal, No. 3:24-CV-47-PPS-JEM, 2025 WL 1207305, at *4 (N.D. Ind. Apr. 25, 2025)
- Clark v. Warden, No. 3:22-CV-522-DRL-MGG, 2022 WL 7500517, at *2 (N.D. Ind. Oct. 12, 2022)