

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS

Terrance Olden v. Cameron Avery, et al.

Olden · No. 24-3079 · Decided March 16, 2026

SUMMARY

The United States District Court for the Central District of Illinois granted Terrance Olden leave to file an amended complaint and conducted merit review under 28 U.S.C. § 1915A. The court allowed Eighth Amendment excessive-force and failure-to-intervene claims to proceed against specified defendants, dismissed remaining claims, and ordered service and related case-management procedures.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois
WRITING FOR THE COURT	Sara Darrow
JURISDICTION	United States District Court for the Central District of Illinois
DECIDED	March 16, 2026
DOCKET	24-3079
DISPOSITION	other
PROCEDURAL POSTURE	The court ruled on the plaintiff's motion for leave to file an amended complaint and conducted mandatory screening of the proposed amended prisoner civil-rights complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court screened the amended complaint for frivolousness, maliciousness, failure to state a claim, and claims seeking monetary relief from immune defendants. The court accepted factual allegations as true and liberally construed them in the plaintiff's favor, while requiring sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order

TOPICS

- prisoners rights
- police misconduct
- civil rights
- pleadings
- service of process

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the plaintiff should be granted leave to file an amended complaint.
2. Whether the amended complaint stated an Eighth Amendment excessive-force claim against Defendant Kirk.
3. Whether the amended complaint stated Eighth Amendment failure-to-intervene claims against Jane Doe and John Doe in their individual capacities.
4. Whether the plaintiff's remaining allegations stated plausible claims under 28 U.S.C. § 1915A.

HOLDINGS

1. The plaintiff's motion for leave to file an amended complaint was granted, and the proposed amended complaint was ordered docketed.
2. The amended complaint stated an Eighth Amendment excessive-force claim against Defendant Kirk based on the alleged chemical spray, excessively tight handcuffing, and head-slamming incident, and that claim was permitted to proceed.
3. The amended complaint stated Eighth Amendment failure-to-intervene claims against Jane Doe and John Doe in their individual capacities based on their alleged failure to stop the second incident.
4. The remaining claims were dismissed from the action because the allegations concerning other officials were too vague to plausibly show advance knowledge of Kirk's alleged excessive force or a connection between Kirk's actions and the plaintiff's First Amendment activity.

KEY QUOTATIONS

“A claim is legally insufficient if it “(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.”” (Merit Review Order #2)

“Conclusory statements and labels are insufficient—the facts alleged must “state a claim for relief that is plausible on its face.”” (Merit Review Order #2)

FACTUAL BACKGROUND

The plaintiff alleged that Defendant Kirk assaulted him on two occasions. During the first incident, Kirk rubbed the plaintiff's chest, touched his nipple, and made a sexual comment; during the second, Kirk sprayed chemical spray in the plaintiff's face, applied excessively tight handcuffs, and slammed his head while the plaintiff was compliant and nonaggressive. The plaintiff alleged that Jane Doe and John Doe failed to intervene during the second incident.

PROCEDURAL HISTORY

The court had dismissed the original complaint with leave to amend. The plaintiff moved for leave to file an amended complaint; the court granted the motion, docketed the proposed amended complaint, screened it,

allowed specified Eighth Amendment claims to proceed, dismissed additional claims, ordered service procedures, and granted the plaintiff's motion for status.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. U.S., 721 F.3d 418, 422 (7th Cir. 2013)

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