

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, PEORIA DIVISION

Edward Maclin v. Tate, et al.

Maclin · No. 1:25-cv-01423-MMM · Decided January 20, 2026

SUMMARY

The court conducted a merit review under 28 U.S.C. § 1915A of Edward Maclin’s pro se § 1983 complaint alleging deliberate indifference to serious medical needs. The court found plausible Eighth Amendment claims against Dr. Tate, Lisa Bishop, and Wexford Health Sources, Inc., denied the motion for appointed counsel with leave to renew, and ordered the case to proceed to service.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Peoria Division
WRITING FOR THE COURT	Michael M. Mihm
JURISDICTION	United States District Court for the Central District of Illinois, Peoria Division
DECIDED	January 20, 2026
DOCKET	1:25-cv-01423-MMM
DISPOSITION	other
PROCEDURAL POSTURE	Merit review of a pro se incarcerated plaintiff’s complaint under 28 U.S.C. § 1915A, together with consideration of his request for appointment of counsel.
STANDARD OF REVIEW	At § 1915A screening, the court accepted factual allegations as true and liberally construed them in the plaintiff’s favor, while requiring nonconclusory facts sufficient to state a claim that is plausible on its face. For appointment of counsel, the court applied the Seventh Circuit’s two-part Pruitt inquiry.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive value only.
PARTIES	Edward Maclin v. Tate, Lisa Bishop, Wexford Health Sources, Inc.

TOPICS

- section 1983
- prisoners rights
- civil rights
- health law
- civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

health law

civil procedure

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated an Eighth Amendment deliberate-indifference claim against Dr. Tate and Healthcare Unit Administrator Lisa Bishop.
2. Whether the complaint plausibly alleged that Wexford Health Sources, Inc.'s policies were the moving force behind constitutional violations.
3. Whether Maclin demonstrated the prerequisites for the court to request volunteer counsel in a civil-rights action.

HOLDINGS

1. The complaint plausibly stated an Eighth Amendment claim against Dr. Tate and Lisa Bishop because it alleged that they knowingly delayed or denied needed medical care, causing pain and permanent injury.
2. The complaint plausibly stated a claim against Wexford because it alleged that Wexford policies were the moving force behind certain constitutional violations.
3. The motion to request counsel was denied without prejudice because Maclin had not shown a reasonable attempt to obtain counsel independently and had not shown that he was effectively prevented from doing so.

KEY QUOTATIONS

“Plaintiff states a plausible Eighth Amendment claim for deliberate indifference to a serious medical need against Doctor Tate, Healthcare Unit Administrator Lisa Bishop, and Medical Contractor Wexford Health Sources, Inc.” (I. MERIT REVIEW)

“Plaintiff’s Motion to Request Counsel [4] is DENIED with leave to renew as stated above.” (Order ¶ 1)

FACTUAL BACKGROUND

Maclin suffered a gunshot wound in summer 2023 and received extensive hospital and correctional medical care, including physical therapy and monitoring for possible surgery. After his transfer to Illinois River Correctional Center in December 2023, staff allegedly knew of his serious medical needs, but he was not seen by a physician until late March 2024 and was not referred for physical therapy and neurology until after he filed grievances in November 2024. He eventually saw a physical therapist in May 2025 and a neurologist in August 2025; the neurologist allegedly stated that surgery was no longer an option because of the delay.

PROCEDURAL HISTORY

Maclin filed a 42 U.S.C. § 1983 complaint alleging deliberate indifference to serious medical needs after delays in physical therapy, neurological care, and possible surgery following a gunshot wound. The court conducted its preliminary merit review, found a plausible Eighth Amendment claim against the individual defendants and

Wexford Health Sources, Inc., denied the motion to request counsel without prejudice, and directed service and further case-management procedures.

DISPOSITION

other

CASES CITED

- Turley v. Rednour, 729 F.3d 645, 649 (7th Cir. 2013)
- Alexander v. United States, 721 F.3d 418, 422 (7th Cir. 2013)
- Petties v. Carter, 836 F.3d 722, 729-30 (7th Cir. 2016) (en banc)
- Thomas v. Cook Cty. Sheriff's Dep't, 604 F.3d 293, 303 (7th Cir. 2010)
- Woodward v. Corr. Med. Servs. of Ill., Inc., 368 F.3d 917, 927-28 (7th Cir. 2004)
- Monell v. N.Y. City Dep't of Soc. Servs., 436 U.S. 658 (1978)
- Pruitt v. Mote, 503 F.3d 647, 653-55 (7th Cir. 2007)
- Jackson v. County of McLean, 953 F.2d 1070, 1071 (7th Cir. 1992)