

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Wesley Ryan Anderson v. Matthew Glab, Nicholas Calabrese, Jon
Jones, Josh Jacobs, and County of Kenosha

Anderson · No. 25-cv-1991-bhl · Decided January 21, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants Wesley Ryan Anderson leave to proceed in forma pauperis in his 42 U.S.C. § 1983 action. The court permits Fourteenth Amendment excessive-force claims to proceed against Matthew Glab, Nicholas Calabrese, Jon Jones, and Josh Jacobs based on allegations concerning Anderson’s removal from intensive care while in pain and not medically cleared for discharge. The court dismisses Kenosha County because the complaint does not allege an express policy, widespread custom, or final policymaker decision supporting municipal liability.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	January 21, 2026
DOCKET	25-cv-1991-bhl
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights screening order on a pro se complaint under 42 U.S.C. § 1983 and a motion to proceed in forma pauperis.
STANDARD OF REVIEW	At screening under 28 U.S.C. § 1915A, the court determines whether the complaint is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from an immune defendant. The complaint must comply with Federal Rule of Civil Procedure 8(a)(2) and plausibly state a claim for relief.

QUESTIONS PRESENTED

- Whether Anderson should be permitted to proceed without prepaying the full filing fee.

2. Whether the allegations plausibly stated a Fourteenth Amendment excessive-force claim against Officers Glab, Calabrese, Jones, and Jacobs.
3. Whether Anderson stated a municipal-liability claim against Kenosha County under Monell.

HOLDINGS

1. Anderson's motion for leave to proceed without prepaying the full filing fee was granted because he submitted the required certified prison trust-account statement and paid the assessed initial partial filing fee.
2. The complaint stated a Fourteenth Amendment claim against Glab, Calabrese, Jones, and Jacobs because the alleged force and removal of Anderson from the intensive care unit, despite his lack of medical clearance and significant pain, could be objectively unreasonable.
3. Anderson failed to state a municipal-liability claim against Kenosha County because he did not allege an express policy, widespread custom or practice, or decision by a final policymaking official that caused the alleged constitutional violation.

KEY QUOTATIONS

"The pleading standard Rule 8 announces does not require 'detailed factual allegations,' but it demands more than an unadorned"

FACTUAL BACKGROUND

Anderson alleged that after suffering a hypoglycemic event, he was hospitalized and moved to an intensive care unit, where he remained restrained and had not been medically discharged. He alleged that when he attempted to use the bathroom, Officers Glab and Calabrese forcefully threw him onto the bed, causing bodily harm, and Officers Jones and Jacobs restrained and removed him from the intensive care unit while he was in significant pain. He further alleged that he was transported to jail without proper discharge documentation and that officers later obtained a doctor's signature on the discharge papers.

PROCEDURAL HISTORY

Anderson, a state prisoner proceeding pro se, filed a § 1983 complaint alleging excessive force and related constitutional violations arising from his removal from a hospital intensive care unit. He moved to proceed without prepaying the full filing fee. The court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915A, allowed a Fourteenth Amendment claim to proceed against four officers, dismissed Kenosha County as a defendant for failure to state a Monell claim, and ordered service on the officers.

DISPOSITION

other