

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Patrick B. Tompkins v. Valdis Collins, et al.

Tompkins · No. 25-cv-0698-bbc · Decided January 14, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin granted defendants’ motion for summary judgment in Patrick B. Tompkins’s 42 U.S.C. § 1983 action. The court held that Tompkins failed to exhaust administrative remedies under the Prison Litigation Reform Act because his inmate complaint concerned delayed psychiatric appointments rather than the alleged deliberate indifference claims against the defendants, and dismissed the action without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Byron B. Conway
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	January 14, 2026
DOCKET	25-cv-0698-bbc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se 42 U.S.C. § 1983 action alleging Eighth Amendment deliberate indifference to his mental-health-related needs. Defendants moved for summary judgment, arguing that Plaintiff failed to exhaust available administrative remedies under the Prison Litigation Reform Act.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law. The court construes reasonable inferences in favor of the nonmoving party, but the nonmoving party must identify specific evidentiary facts showing a genuine issue for trial. Unopposed proposed facts may be deemed admitted under the applicable local rule.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

summary judgment

section 1983

prisoners rights

civil procedure

PRACTICE AREAS

Prisoner civil rights

Civil procedure

Summary judgment

Administrative exhaustion

QUESTIONS PRESENTED

1. Whether Defendants were entitled to summary judgment because Plaintiff failed to exhaust available administrative remedies before bringing his § 1983 action.
2. Whether Plaintiff's inmate complaint provided sufficient notice of the particular deliberate-indifference claims later asserted against Skinner and Collins.

HOLDINGS

1. Defendants were entitled to summary judgment because Plaintiff failed to exhaust available administrative remedies for the deliberate-indifference claims asserted in the action.
2. Plaintiff's complaint about psychiatric staff delaying appointments did not exhaust his separate claims that Skinner ignored his cellmate's requests for help and that Collins forced him to return to the cell after the self-harm incident.

KEY QUOTATIONS

“Under the Prison Litigation Reform Act, “no action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until administrative remedies as are available are exhausted.””

“The nature of the wrong identified by Tompkins in his inmate complaint was that psychiatric staff was delaying his appointments.”

“Tompkins therefore failed to exhaust the available administrative remedies, and Defendants are entitled to summary judgment.”

FACTUAL BACKGROUND

Plaintiff, an inmate at Kettle Moraine Correctional Institution, alleged that his cellmate threatened and then engaged in self-harm in front of him. He claimed that Skinner was deliberately indifferent by ignoring the cellmate's threats and that Collins was deliberately indifferent by requiring Plaintiff to return to the cell despite Plaintiff's request to be moved. Plaintiff's inmate complaint, filed on April 26, 2024, described witnessing the self-harm, resulting trauma and nightmares, and delays by psychiatric staff in scheduling appointments, but did not identify the alleged misconduct by Skinner or Collins.

PROCEDURAL HISTORY

The court previously allowed Plaintiff to proceed on deliberate-indifference claims against Lakingdria Skinner and Valdis Collins. Defendants moved for summary judgment on exhaustion grounds. Plaintiff filed a combined brief and declaration but did not respond to Defendants' proposed findings of fact, so the court deemed those

facts admitted under the local rules. The court granted summary judgment to Defendants and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Phoneprasith v. Greff, Case No. 21-3069, 2022 WL 1819043 (7th Cir. June 3, 2022)
- Robinson v. Waterman, 1 F.4th 480, 483 (7th Cir. 2021)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Foley v. City of Lafayette, 359 F.3d 925, 928 (7th Cir. 2004)
- Siegel v. Shell Oil Co., 612 F.3d 932, 937 (7th Cir. 2010)
- Parent v. Home Depot U.S.A., Inc., 694 F.3d 919, 922 (7th Cir. 2012)
- Henry v. Deshler, No. 20-2185, 2021 WL 2838400, at *2 (7th Cir. July 8, 2021)
- Schillinger v. Kiley, 954 F.3d 990, 993, 995 (7th Cir. 2020)