

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
OHIO, WESTERN DIVISION AT DAYTON

Terrance J. Feaster v. Walter Sammons, et al.

No. 1:23-cv-98 (S.D. Ohio Jan. 30, 2026) (Report and Recommendations) · No. 1:23-cv-98 · Decided January 30, 2026

SUMMARY

A United States magistrate judge recommends granting Defendant Walter Sammons’s motions for summary judgment in Terrance J. Feaster’s 42 U.S.C. § 1983 action. The recommendation addresses claims alleging Eighth Amendment excessive force and failure to intervene, as well as First Amendment retaliation arising from prison cell searches and an alleged incident in a correctional facility office. The magistrate judge concludes that Plaintiff failed to establish genuine disputes of material fact supporting the claims.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of Ohio, Western Division at Dayton                                                                                                                                                                                                                                                                                                                                                                                                                    |
| WRITING FOR THE COURT | Peter B. Silvain, Jr.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| JURISDICTION          | United States District Court for the Southern District of Ohio, Western Division at Dayton                                                                                                                                                                                                                                                                                                                                                                                                                    |
| DECIDED               | January 30, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| DOCKET                | 1:23-cv-98                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Report and Recommendations on defendants’ motions for summary judgment in a prisoner civil-rights action under 42 U.S.C. § 1983.                                                                                                                                                                                                                                                                                                                                                                              |
| STANDARD OF REVIEW    | Under Federal Rule of Civil Procedure 56, summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views facts and reasonable inferences in the light most favorable to the nonmoving party, unless the record blatantly contradicts that party’s version so that no reasonable jury could believe it. The nonmoving party must present specific, admissible evidence showing a genuine issue for trial. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

## PARTIES

Terrance J. Feaster v. Walter Sammons, R. Jackson, T. Sherman, R. Carver, Norman, G. Hardinger

## TOPICS

section 1983   prisoners rights   cruel and unusual punishment   first amendment   summary judgment

## PRACTICE AREAS

civil rights   prisoner civil rights   constitutional law   civil procedure

## QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment on Feaster's Eighth Amendment excessive-force claim.
2. Whether defendant Norman was entitled to summary judgment on Feaster's Eighth Amendment failure-to-intervene claim.
3. Whether defendant Sammons was entitled to summary judgment on Feaster's First Amendment retaliation claim based on cell searches and related conduct.

## HOLDINGS

1. The magistrate judge recommended granting summary judgment because the record, viewed in Feaster's favor, was so contradictory to his account that no reasonable jury could find that defendants used force; alternatively, Feaster failed to produce evidence satisfying the subjective and objective components of an Eighth Amendment excessive-force claim.
2. The magistrate judge recommended granting summary judgment because Feaster failed to establish the adverse-action and causation elements of a First Amendment retaliation claim, and defendants established that the challenged cell searches would have occurred regardless of Feaster's protected activity.

## KEY QUOTATIONS

*"Summary judgment is appropriate "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.""* (Section II)

*"Viewing the record in the light most favorable to Plaintiff, no reasonable jury would be able to find that Defendants employed force"* (Section III.A)

*"An "inmate cannot immunize himself from adverse administrative action by prison officials merely by filing a grievance or a lawsuit and then claiming that everything that happens to him is retaliatory.""* (Section III.B)

## FACTUAL BACKGROUND

On September 14, 2021, Feaster spoke with correctional officers about searches of his prison cell and was taken to Sammons's office. Feaster alleged that Sammons and Norman yelled at him about filing grievances, that Sammons ordered him to cuff up and go to segregation, and that Sammons pushed or yanked him against a door, injuring his shoulder. Defendants denied using force and submitted witness statements, incident reports, investigative materials, and medical evidence showing no observable injury and full range of motion. Feaster also alleged that cell searches and seizure or destruction of complaint materials were retaliatory, while defendants asserted that the searches were random, routine searches designed to discover and deter contraband.

## PROCEDURAL HISTORY

Feaster filed a § 1983 action alleging First Amendment retaliation and Eighth Amendment excessive-force and failure-to-intervene claims arising from events at the Southern Ohio Correctional Facility. After initial review, most claims were dismissed, leaving claims against Walter Sammons and Norman; the district judge adopted that recommendation on January 8, 2024. Feaster later filed an amended complaint adding a retaliation claim against G. Hardinger, who had not been served and was not included in the summary-judgment motions. The magistrate judge recommended granting Sammons's motions for summary judgment on the surviving claims addressed by the motions.

## DISPOSITION

other

## CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322, 324 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 257 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio, 475 U.S. 574, 587 (1986)
- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Whitley v. Albers, 475 U.S. 312, 327 (1986)
- Wilkins v. Gaddy, 559 U.S. 34, 34–37 (2010)
- Hudson v. McMillian, 503 U.S. 1, 5–10 (1992)
- Cordell v. McKinney, 759 F.3d 573, 580 (6th Cir. 2014)
- Johnson v. Sootsman, 79 F.4th 608, 615–18 (6th Cir. 2023)
- Brown v. Gray, 2022 WL 961246, at \*? (6th Cir. Mar. 28, 2022)
- Thaddeus-X v. Blatter, 175 F.3d 378, 394, 398–99 (6th Cir. 1999)
- Maben v. Thelen, 887 F.3d 252, 264, 266–68 (6th Cir. 2018)
- Bell v. Johnson, 308 F.3d 594, 603–06 (6th Cir. 2002)
- Tate v. Campbell, 85 F. App'x 413, 417 (6th Cir. 2003)
- Spies v. Voinovich, 48 F. App'x 520, 525 (6th Cir. 2002)
- Satterfield v. Tennessee, 295 F.3d 611, 615 (6th Cir. 2002)
- Coble v. City of White House, Tenn., 634 F.3d 865, 870 (6th Cir. 2011)

- First Nat'l Bank of Ariz. v. Cities Serv. Co., 391 U.S. 253, 288 (1968)
- Spotts v. United States, 429 F.3d 248, 250 (6th Cir. 2005)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Boswell v. Mayer, 169 F.3d 384, 387 (6th Cir. 1999)
- Maston v. Montgomery Cnty. Jail Med. Staff Pers., 832 F. Supp. 2d 846, 849, 851–52 (S.D. Ohio 2011)
- Sixty Ivy St. Corp. v. Alexander, 822 F.2d 1432, 1435 (6th Cir. 1987)
- Pittman v. Experian Info. Solutions, Inc., 901 F.3d 619, 628 (6th Cir. 2018)
- Little Caesar Enters., Inc. v. OPPC, LLC, 219 F.3d 547, 551 (6th Cir. 2000)
- Zinn v. United States, 885 F. Supp. 2d 866, 871 (N.D. Ohio 2012)
- Brown v. Mahlman, 2024 WL 248580, at \*? (S.D. Ohio 2024)
- Reynolds-Bey v. Harris-Spicer, 428 F. App'x 493, 503 (6th Cir. 2011)
- Williams v. [Unknown] Stevenson, P.C., 2020 U.S. App. LEXIS 31183, at \*? (6th Cir. 2020)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947, 949–50 (6th Cir. 1981)