

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Quenton Thompson v. Hannah Utter, Alana Acker, Laura Sukowaty,
Bonnie Alt, Denise Valerius, Jaime Adams, Sheryl Kinyon, and James
Murphy

Thompson v. Utter, No. 23-cv-381-jdp (W.D. Wis. Mar. 26, 2026) · No. 23-cv-381-jdp · Decided March 26,
2026

SUMMARY

The United States District Court for the Western District of Wisconsin grants summary judgment to the defendants in Quenton Thompson’s Eighth Amendment claims concerning prison medical care before and after back surgery. The court holds that claims concerning 2019 treatment are time-barred, and that the remaining evidence does not show conscious disregard of serious medical needs by the defendants. The court also denies Thompson’s motions to compel discovery and recruit counsel and dismisses the case.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	March 26, 2026
DOCKET	23-cv-381-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff, proceeding without counsel, asserted Eighth Amendment medical-care claims against prison medical staff. The state defendants and Dr. James Murphy separately moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when the evidence shows no genuine dispute of material fact and the moving party is entitled to judgment as a matter of law. At summary judgment, the court credited Thompson's version of disputed facts where supported by evidence, but held that speculation and conjecture do not create a genuine dispute. For the Eighth Amendment claims, the court examined whether each defendant consciously disregarded a serious medical need.

PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Quenton Thompson v. Hannah Utter, Alana Acker, Laura Sukowaty, Bonnie Alt, Denise Valerius, Jaime Adams, Sheryl Kinyon, James Murphy

TOPICS

prisoners rights

cruel and unusual punishment

summary judgment

statute of limitations

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

medical-care claims

civil procedure

QUESTIONS PRESENTED

1. Whether Thompson's 2019 Eighth Amendment medical-care claims against Adams and Kinyon were barred by the applicable three-year statute of limitations.
2. Whether the evidence showed that Murphy consciously disregarded Thompson's serious medical needs by changing or interfering with a neurosurgery referral.
3. Whether Alt consciously disregarded Thompson's medical needs by referring him to an advanced care provider in June 2022 and by responding to his September 2022 request with reference to an upcoming surgical follow-up.
4. Whether Sukowaty consciously disregarded Thompson's medical needs by canceling orthotic, podiatry, or neurology-related appointments or by allegedly refusing to treat him while he was in segregation.
5. Whether Valerius, Utter, or Acker violated the Eighth Amendment by failing to provide a podiatrist-recommended heel lift or particular New Balance athletic shoes.
6. Whether defendants were entitled to summary judgment on the remaining Eighth Amendment claims.

HOLDINGS

1. Thompson's Eighth Amendment claims against Adams and Kinyon based on treatment at WSPF in 2019 were barred by Wisconsin's three-year statute of limitations because he filed the original complaint in June 2023.
2. Thompson failed to produce evidence creating a genuine dispute that Murphy canceled or converted a neurosurgery consultation into a pain-injection appointment; speculation about Murphy's alleged interference was insufficient to defeat summary judgment.
3. Alt did not consciously disregard Thompson's medical needs by referring him to an advanced care provider in June 2022 or by directing him to an imminent post-surgical follow-up in September 2022.
4. Sukowaty did not violate the Eighth Amendment by canceling the neurology appointment after Thompson's intervening surgery, rescinding the heel-lift order after a replacement lift had been provided, or allegedly stating that she would not treat Thompson in segregation.

5. Valerius, Utter, and Acker did not consciously disregard Thompson's serious medical needs by failing to provide the particular heel lift or New Balance shoes recommended by an outside podiatrist.
6. To prevail on an Eighth Amendment medical-care claim, a prisoner must show a serious medical need and that the defendant consciously disregarded an excessive risk to the prisoner's health or safety; negligence, gross negligence, ordinary malpractice, and inadvertent error are insufficient.

KEY QUOTATIONS

“The Eighth Amendment prohibits prison officials from acting with conscious disregard toward prisoners’ serious medical needs.” (Analysis)

“Thompson’s mere speculation that Murphy interfered with his needed treatment is not enough to create a genuine dispute of material fact.” (Analysis § B)

“But in considering medical care claims, I must consider the totality of care that Thompson received, not just pick apart individual decisions.” (Analysis § C)

“The Eighth Amendment does not entitle Thompson to demand specific care, and it certainly does not entitle him to shoes from a particular vendor.” (Analysis § E)

FACTUAL BACKGROUND

Thompson, a Wisconsin prisoner, experienced lower-back pain and sciatica that caused pain and numbness in his right leg and foot and was eventually treated with microdiscectomy surgery in July 2022. He alleged that prison medical staff delayed treatment, failed to provide particular medications or equipment, interfered with referrals, denied recommended shoes or a heel lift, and failed to treat him while he was in segregation. The medical records showed repeated treatment, referrals, medication orders, follow-up care, and provision of alternative medical shoes and a heel lift. The court concluded that the evidence either established that the older claims were time-barred or failed to show conscious disregard, causation, or harm.

PROCEDURAL HISTORY

Thompson originally sued numerous defendants concerning treatment of his back pain and related symptoms before and after microdiscectomy surgery. Earlier orders narrowed the case to claims against the named defendants, and a prior order dismissed defendant Gavin's claims as untimely. The court denied Thompson's late motion to compel discovery as moot and denied his renewed motion for recruitment of counsel. The court granted both summary-judgment motions, dismissed the entire case, and directed the clerk to enter judgment and close the case.

DISPOSITION

dismissed

CASES CITED

- *Estelle v. Gamble*, 429 U.S. 97, 103–04 (1976)

- Johnson v. Snyder, 444 F.3d 579, 584–85 (7th Cir.)
- Gutierrez v. Peters, 111 F.3d 1364, 1371–73 (7th Cir.)
- Farmer v. Brennan, 511 U.S. 825, 847 (1994)
- Snipes v. Detella, 95 F.3d 586, 590 (7th Cir.)
- Vance v. Peters, 97 F.3d 987, 992 (7th Cir.)
- Herzog v. Graphic Packaging Int'l, Inc., 742 F.3d 802, 806 (7th Cir.)
- Petties v. Carter, 836 F.3d 722, 728 (7th Cir.)
- Walker v. Wexford Health Sources, Inc., 940 F.3d 954, 964 (7th Cir.)
- Lord v. Beahm, 952 F.3d 902, 904–05 (7th Cir.)
- DeWalt v. Carter, 224 F.3d 607, 612 (7th Cir. 2000)
- Forbes v. Edgar, 112 F.3d 262, 267 (7th Cir.)
- Burks v. Raemisch, 555 F.3d 592, 595 (7th Cir.)

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