

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN D. FARRIS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:23-cv-01632-JPH-TAB
)	
DENNIS REAGLE,)	
)	
Defendant.)	

**ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Plaintiff John Farris, who is incarcerated at Pendleton Correctional Facility ("PCF"), alleges in this case that defendant Dennis Reagle, the Warden of PCF, has denied him religious services in violation of his rights under the First Amendment and the Religious Land Use and Institutionalized Persons Act ("RLUIPA") and denied him access to the courts. Warden Reagle has moved for summary judgment on these claims. For the reasons below, Warden Reagle's motion is **GRANTED IN PART AND DENIED IN PART.**

**I.
Standard of Review**

A motion for summary judgment asks the Court to find that a trial is unnecessary because there is no genuine dispute as to any material fact and, instead, the movant is entitled to judgment as a matter of law. *See* Fed. R. Civ. P. 56(a). When reviewing a motion for summary judgment, the Court views the record and draws all reasonable inferences from it in the light most favorable to the nonmoving party. *Khungar v. Access Cmty. Health Network*, 985 F.3d 565,

572–73 (7th Cir. 2021). It cannot weigh evidence or make credibility determinations on summary judgment because those tasks are left to the fact-finder. *Miller v. Gonzalez*, 761 F.3d 822, 827 (7th Cir. 2014). A court only has to consider the materials cited by the parties, *see* Fed. R. Civ. P. 56(c)(3); it need not "scour the record" for evidence that might be relevant. *Grant v. Trs. of Ind. Univ.*, 870 F.3d 562, 573–74 (7th Cir. 2017) (cleaned up).

A party seeking summary judgment must inform the district court of the basis for its motion and identify the record evidence it contends demonstrates the absence of a genuine issue of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986).

Whether a party asserts that a fact is undisputed or genuinely disputed, the party must support the asserted fact by citing to particular parts of the record, including depositions, documents, or affidavits. Fed. R. Civ. P. 56(c)(1)(A). Failure to properly support a fact in opposition to a movant's factual assertion can result in the movant's fact being considered undisputed, and potentially in the grant of summary judgment. Fed. R. Civ. P. 56(e).

II. Factual Background

Because Warden Reagle has moved for summary judgment under Rule 56(a), the Court views and recites the evidence in the light most favorable to the non-moving party and draws all reasonable inferences in that party's favor. *Khungar*, 985 F.3d at 572–73.

A. The Parties

During the relevant time, Mr. Farris was incarcerated at PCF and Dennis Reagle was the Warden. Dkt. 17; Dkt. 65-1 ¶ 3 (Reagle Aff.).

B. Religious Services at PCF

During Warden Reagle's tenure, inmates at PCF were required to complete a religion designation form to indicate which religion they practice. Dkt. 65-1 ¶ 5. They could have only one designated religion at a time and could only participate in the religious services for their designated religion. *Id.*

The parties dispute the procedure that inmates were required to follow to obtain permission to attend their chosen religious services. Warden Reagle explains that, once an inmate's religion-designation form was processed, he could submit a request slip to the chaplain asking to be added to the "count letter" for that religion's service, which identifies inmates who are allowed to go to that service. *Id.* ¶ 6. Once an inmate is added to a particular religion's count letter, he would be added to the count letter every week unless he either requested to be taken off or was removed for having too many absences. *Id.* ¶ 7. If an inmate was removed from a religion count letter, he could submit a new request to be added to the list. *Id.*

Mr. Farris has designated evidence that changing from one religion's count letter to another requires submitting a request "to internal affairs and Indianapolis," which could take up to six months for approval. Dkt. 75 ¶ 8. He further explains that at PCF, "count letters for religious services" are often "at the same time as the law library so you have to choose between them." *Id.* So if

an inmate missed a religious service because of law library, he would be taken off of the count letter and have "to fight to get back on the count letter." *Id.* Mr. Farris concludes, without explanation, "Discriminating against me, [retaliation] because of this lawsuit." Dkt. 75 ¶ 8.

Warden Reagle never personally denied Mr. Farris's ability to attend religious service for his designated religion or directed any staff member to do so. Dkt. 65-1 ¶ 16. As Warden, he would not have reviewed Mr. Farris's request slips to be added to a religion's count letter. *Id.* ¶ 17. Warden Reagle does not recall speaking with Mr. Farris about his access to religious services or responding to a grievance submitted by Mr. Farris about his access to religious services. *Id.* ¶ 18. Mr. Farris designates no evidence that Warden Reagle had any role in approving or denying an inmate's count letter request or having an inmate removed from a count letter.

In his response, Mr. Farris refers to an occasion when Warden Reagle told him that he had ordered a modified lockdown, which resulted in no movement and no religious services or law library:

Plaintiff was denied Asatru services according to PCF staff the warden ordered modified lockdown, no movement. So all religious services was cancelled and law library, when plaintiff asked defendant in person [Dennis Reagle] he stated yes he cancelled everything do to short staff, or do to E-squad or some other reason. And he would send an e-mail to staff about these issues right in front of plaintiff.¹

¹ Mr. Farris goes on to state that he subpoenaed those emails last year and did not receive them. If Mr. Farris had any issues obtaining discovery, however, he should have followed the procedures set forth in the Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. Dkt. 29. Having not followed those procedures by filing a motion to compel if appropriate, it is too late for Mr. Farris to complain that he did not receive discovery that he requested.

Dkt. 75 ¶ 11 (errors in original). This statement provides no further details regarding when or how long PCF was on a modified lockdown such that inmates could not attend services.

Mr. Farris filed a notice to the court, which was docketed as a motion for court assistance on July 22, 2025, stating that in June of 2025, he received count letters for law library, medical appointments, and religious services all at the same time. Dkt. 79 at 1. Then, on July 21, Asatru services were changed to 7-9 A.M. on Wednesdays, while Mr. Farris works from 7-10 A.M. and must attend medication line at 8 A.M. *Id.* Mr. Farris contends that he should not have to choose between law library, medical needs, and religious services.² *Id.*

C. Law Library Access

While Warden Reagle was Warden at PCF, inmates would generally be allowed to visit the law library once per week for three hours. Dkt. 65-1 ¶ 20. An inmate would have to submit a request to the law librarian to be placed on the library count letter for that week. *Id.* If an inmate's lawsuit was approaching a court-ordered deadline, he would be allowed to have a three-hour period in the law library each day until the deadline. *Id.* ¶ 21.

Warden Reagle never confiscated Mr. Farris's legal materials or directed any staff to do so. *Id.* ¶ 22. He did not deny Mr. Farris the ability to visit the law library upon a request consistent with PCF policy or direct staff to do so. *Id.* ¶

² Mr. Farris also suggests that he has been denied services in retaliation for filing this lawsuit, but no retaliation claim is proceeding in this case, *see* dkt. 19. Mr. Farris cannot now amend his complaint through his responses to the motion for summary judgment. *See Anderson v. Donahoe*, 699 F.3d 989, 997 (7th Cir. 2012).

23. Warden Reagle was not aware of Mr. Farris's post-conviction relief proceedings and never tried to impede those proceedings. *Id.* ¶ 24.

III. Discussion

A. Mr. Farris's Religion Claims

1. First Amendment

To succeed on his First Amendment free-exercise claim, Mr. Farris must designate evidence from which a jury could reasonably conclude that Warden Reagle "personally and unjustifiably placed a substantial burden on his religious practices." *Thompson v. Holm*, 809 F.3d 376, 379 (7th Cir. 2016). "A substantial burden puts substantial pressure on an adherent to modify his behavior and to violate his beliefs." *Id.* (cleaned up). An isolated instance that impacts an inmate's religious practice will often be "de minimis" and "not of constitutional dimension." *Rapier v. Harris*, 172 F.3d 999, 1006 n.4 (7th Cir. 1999) (denial of pork-free meals on three isolated occasions "does not constitute more than a de minimis burden on [plaintiff's] free exercise of religion").

Warden Reagle argues that he did not personally and unjustifiability place a substantial burden on Mr. Farris's religious rights. The parties dispute the procedures for being placed on a count letter for religious services and whether Mr. Farris was permitted to attend services or study sessions. But the only evidence of Warden Reagle's role in the alleged denial of religious services is Mr. Farris's sworn response to the motion for summary judgment. There, Mr. Farris states that Warden Reagle told him that the facility had been placed on a modified lockdown and no movement was allowed. Dkt. 75 ¶ 11. Mr. Farris does

not designate evidence showing when this lockdown took place or how long it lasted. *See id.* Therefore, Mr. Farris has not designated evidence to allow a jury to conclude that any denial of Mr. Farris's rights to practice his religion in which Warden Reagle was involved was more than de minimis. *See Rapier*, 172 F.3d at 1006 n.4; *Daugherty v. Page*, 906 F.3d 606, 611 (7th Cir. 2018) ("Summary judgment is not a time to be coy: conclusory statements not grounded in specific facts are not enough.").

Mr. Farris also suggests that "PCF" used short staffing as a reason to deny count letters for over a year. Dkt. 75 ¶ 9. But even if this statement is about Warden Reagle, it is vague, conclusory, and speculative, so it is not enough to overcome Warden Reagle's evidence that he had no role in determining Mr. Farris's count letter requests. Dkt. 51-1 at 3 ¶¶ 16-17. *FKFJ, Inc. v. Vill. of Worth*, 11 F.4th 574, 585 (7th Cir. 2021) ("A party 'must present more than mere speculation or conjecture to defeat a summary judgment motion.'").

Because Mr. Farris has not designated evidence showing that Warden Reagle was involved in denying Mr. Farris's requests to participate in religious services, Warden Reagle is entitled to summary judgment on Mr. Farris's First Amendment Claim.

2. RLUIPA

Warden Reagle seeks summary judgment on Mr. Farris's RLUIPA claim, arguing that Mr. Farris had access to Asatru services while he was Warden and that he had no role in depriving Mr. Farris of the ability to attend those services. But Mr. Farris's RLUIPA claims are for injunctive relief only and proceeding

against Warden Reagle in his official capacity only. Dkt. 19 at 4. This is because "RLUIPA authorizes only injunctive relief against state officials[.]" *Greene v. Teslik*, 2023 WL 2320767 at *3 (7th Cir. Mar. 2, 2023) (citing *Sossamon v. Texas*, 563 U.S. 277, 288 (2011); *Grayson v. Schuler*, 666 F.3d 450, 451 (7th Cir. 2012)). An official capacity claim is the same as a claim against the entity the official represents. *Cf. Gonzalez v. Feinerman*, 663 F.3d 311, 315 (7th Cir. 2011) (proper defendant in a claim for injunctive relief is the government official responsible for ensuring any injunctive relief is carried out). Thus, Warden Reagle's lack of personal involvement doesn't foreclose Mr. Farris's RLUIPA claim for injunctive relief regarding his access to Asatru services.

RLUIPA prohibits the government from imposing "a substantial burden on the religious exercise of a person residing in or confined to an institution ... unless the government demonstrates that imposition of the burden on that person – (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000cc-1(a). A "substantial burden" under RLUIPA is one that "seriously violates or contradicts religious beliefs." *Schlemm v. Wall*, 784 F.3d 362, 364 (7th Cir. 2015).

Here, Warden Reagle has designated evidence that, between January 2023 and April 2024, Mr. Farris attended religious services 35 times and was on the count letter for services on five other occasions when he didn't attend. Dkt. 65-2. But those records do not account for about 25 weeks, *see id.*, and Mr. Farris challenges all the records for lack of foundation, dkt. 75 at 4. Warden Reagle

has not established that the records are complete and accurate, so they cannot support summary judgment on the RLUIPA claim. *See* dkt. 76-1 at 1 (affidavit reflecting only that the records are kept in the usual course of business and are from PCF's internal records); *see United States v. Christ*, 513 F.3d 762, 769–70 (7th Cir. 2008) (The foundational witness must show that "it was the regular practice of the business to make the document" and must "have knowledge of the procedures under which the records were created."). Mr. Farris has also designated evidence that he "never had a religious study session" outside of a brief period between December 2024 and January 2025. Dkt. 75 at 3. Warden Reagle therefore has not designated evidence that Mr. Farris's religious beliefs have not been substantially burdened in violation of RLUIPA, so he is not entitled to summary judgment on this claim.³

B. Law Library

Mr. Farris alleges that legal materials related to his post-conviction relief proceedings were confiscated based on Warden Reagle's orders. Dkt. 17 at 2. Warden Reagle has presented evidence that he never confiscated Mr. Farris's legal materials or ordered anyone else to do so. Dkt. 65-1 ¶ 20. Mr. Farris has designated no admissible evidence to dispute this fact and, indeed, did not respond to this argument at all in his brief response to the motion for summary judgment. Because it is undisputed that Warden Reagle was not personally involved in any alleged destruction of Mr. Farris's legal materials, he is entitled

³ The Court also notes Mr. Farris's sworn filings from July 2025 and September 2025 that he is still being prevented from attending Asatru services. Dkt. 79 at 1; dkt. 83 at 2.

to summary judgment on this claim. *Whitfield v. Spiller*, 76 F.4th 698, 706 (7th Cir. 2023) ("To recover damages under § 1983, a plaintiff must establish that a defendant was personally responsible for the deprivation of a constitutional right.") (quoting *Gentry v. Duckworth*, 65 F.3d 555, 561 (7th Cir. 1995)).

IV. Conclusion

Warden Reagle's motion for summary judgment, dkt. [64], is **GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED** as to Mr. Farris's First Amendment Free Exercise claim and his access-to-the-courts claim. Mr. Farris' motion for leave to file an amended reply to the motion for summary judgment, dkt. [82], is **denied**. He states in his motion for leave to file an amended reply to the motion for summary judgment that his cognition issues have impacted his ability to litigate this case. That motion, filed six months after the motion for summary judgment was fully briefed, is far too late. If Mr. Farris believed he needed additional time to reply, he could have filed a timely motion for an extension of time, which would have been considered.

Warden Reagle's motion for summary judgment, dkt. [64], is **DENIED** as to Mr. Farris's RLUIPA claim for only injunctive relief. Because that is the only claim that remains, the **clerk shall amend** the docket to reflect that the proper defendant is the Warden of Pendleton Correctional Facility in his official capacity. *See Gonzalez*, 663 F.3d at 315.

The assigned Magistrate Judge is asked to hold a status conference to address whether Mr. Farris's schedule continues to present an obstacle to his attending religious services, and to address potential settlement. *See Koger v.*

Bryan, 523 F.3d 789, 804 (7th Cir. 2008) ("In an action seeking only injunctive relief . . . once the threat of the act sought to be enjoined dissipates, the suit must be dismissed as moot.").

SO ORDERED.

Date: 3/10/2026



James Patrick Hanlon
United States District Judge
Southern District of Indiana

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