UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

CLARENCE A. MARTIN, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:23-cv-00176-RLY-CSW
	)	
J. NOBLE, et al.,	)	
	)	
Defendants.	)	

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Plaintiff Clarence Martin, an Indiana Department of Correction ("IDOC") inmate, filed this action under 42 U.S.C. § 1983 based on allegations that defendants Sgt. Michael Poehlein and Capt. Noble violated his Eighth and Fourteenth Amendment constitutional rights when they confiscated his wet blanket and refused to provide a replacement while he was incarcerated at Branchville Correctional Facility ("Branchville"). Dkt. 12. Defendant Sgt. Poehlein has moved for partial summary judgment on Mr. Martin's Eighth Amendment claim against him. Dkt. 61.

At the outset, Mr. Martin has moved to strike Sgt. Poehlin's reply on the grounds that it contains "scandalous statements." Dkt. 77 at 2-3. These statements relate to Sgt. Poehlin's argument that Mr. Martin used his response in an attempt to reargue claims that the court previously screened out. *Id.* Federal Rule of Civil Procedure 12(f) provides that "the court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." Fed. R. Civ. P. 12(f). Motions to strike are disfavored because they potentially only serve to delay. *Heller Financial, Inc. v. Midwhey Powder Co., Inc*., 883 F.2d 1286, 1294 (7th Cir.1989). The court notes that Mr. Martin disputes these statements within the reply as inaccurate. Although the court declines to strike these offending portions of the defendant's reply, these statements are disregarded

for the purposes of summary judgment. Accordingly, and for the reasons that follow, Mr. Martin's motion to strike the defendant's reply, dkt. [77], is **denied**, and Sgt. Poehlein's motion for summary judgment, dkt. [61], is **granted**.

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 Defendant has moved for summary judgment under Rule 56(a), the court views and recites the evidence in the light most favorable to Mr. Martin and draws all reasonable inferences in his favor. *Khungar*, 985 F.3d at 572–73.

A. The Parties

During the time in question, Mr. Martin was incarcerated at Branchville within the C dorm. Dkt. 63-1 at 13-14.

At all relevant times, Sgt. Poehlein was a K Bracket correctional sergeant at Branchville. Dkt. 62-3 at 13.

B. The Incident

On December 9, 2021, at approximately 8:40 P.M., Mr. Martin knocked over two cups of water on his bed, which soaked his bedsheets but not his mattress. Dkts. 63-1 at 13-14, 63-2 at 54-55. Inmate bedding at Branchville consisted of two sheets and a blanket. *Id.* at 43. To ensure his blanket dried, Mr. Martin hung his blanket over the bar of his top bunk. *Id.* at 14. Inmates are not permitted to have blankets hang over the end of the top bunks that would obstruct the view of the bunks. Dkt. 63-3 at 13-14.

Sgt Poehlein conducted count and asked about the blanket that was hanging in Mr. Martin's cell. Dkt. 63-1 at 14-15. Capt. Noble then entered C dorm after Sgt. Poehlein left and ordered Mr. Martin to take down the blanket. *Id.* at 16-17. Mr. Martin then took down his blanket. Dkt 63-2 at 51.

Mr. Martin then approached a non-party officer and asked for a replacement blanket. *Id.* at 20-21. The officer refused but gave Mr. Martin permission to hang his blanket up again until he went to sleep. *Id.* Mr. Martin then hung his blanket back up. *Id.* at 51. Shortly thereafter, Sgt.

Poehlein entered Mr. Martin's bunk and told him that he needed to take his blanket down or Sgt. Poehlein would remove it. *Id.* at 21. He then confiscated Mr. Martin's blanket shortly before 10:00 PM, and after the two argued, Mr. Martin went to the dayroom to watch football. *Id.* at 21, 25.

After the day room closed at 11:00 PM, Mr. Martin again approached Sgt. Poehlein and asked for his blanket back. *Id.* at 26-28. Sgt. Poehlein told him it would be returned by midnight. *Id.* Mr. Martin asked if he could get back the confiscated blanket, and Sgt. Poehlein denied his request. Dkt. 63-3 at 13-14. He then returned Mr. Martin's blanket to him some time before midnight in a garbage bag. Dkts. 63-1 at 28, 63-2 at 58. The blanket was still wet, so Mr. Martin left it in the bag and slept in his coat. Dkt. 63-2 at 52-53, 56.

Mr. Martin woke up several times during the night, his teeth chattered, and the tips of his fingers were cold. Dkt. 63-1 at 44. He woke up the next day between 4:30 and 5:00 and the on-duty sergeant in the morning gave him a new blanket. Dkt. 63-2 at 56-57. Mr. Martin did not seek any medical care for any injury after the incident. *Id.* at 67.

III.
Discussion

Mr. Martin brings an Eighth Amendment conditions of confinement claim against Sgt. Poehlein. Dkt. 12. Sgt. Poehlein argues that he is entitled to summary judgment because 1) he is entitled to qualified immunity; and 2) he did not violate Mr. Martin's Eighth Amendment rights. Dkt. 62.

"[Q]ualified immunity shields officials from civil liability so long as their conduct 'does not violate clearly established statutory or constitutional rights of which a reasonable person would have known.'" *Mullenix v. Luna*, 577 U.S. 7, 11 (2015) (quoting *Pearson v. Callahan*, 555 U.S. 223, 232 (2009)). "To overcome the defendant's invocation of qualified immunity, [a plaintiff] must show both (1) that the facts make out a constitutional violation, and (2) that the constitutional

right was 'clearly established' at the time of the official's alleged misconduct." *Abbott v. Sangamon Cty., Ill.*, 705 F.3d 706, 713 (7th Cir. 2013). This "clearly established" standard ensures "that officials can 'reasonably . . . anticipate when their conduct may give rise to liability for damages.'" *Reichle v. Howards*, 566 U.S. 658, 664 (2012) (quoting *Anderson v. Creighton,* 483 U.S. 635, 646 (1987)).

To be "clearly established," a constitutional right "must have a sufficiently clear foundation in then-existing precedent." *District of Columbia v. Wesby*, 583 U.S. 48, 63 (2018). Given this emphasis on notice, clearly established law cannot be framed at a "high level of generality." *Ashcroft v. al-Kidd*, 563 U.S. 731, 742 (2011). "A rule is too general if the unlawfulness of the officer's conduct 'does not follow immediately from the conclusion that [the rule] was firmly established.'" *Wesby*, 583 U.S. at 64 (quoting *Anderson*, 483 U.S. at 641). While "a case directly on point" is not required, "precedent must have placed the . . . constitutional question beyond debate." *White v. Pauly*, 580 U.S. 73, 79 (2017) (cleaned up). Put slightly differently, a right is clearly established only if "every reasonable official would have understood that what he is doing violates that right." *Taylor v. Barkes*, 575 U.S. 822, 825 (2015).

"The Supreme Court's message is unmistakable: Frame the constitutional right in terms granular enough to provide fair notice because qualified immunity 'protects all but the plainly incompetent or those who knowingly violate the law.'" *Campbell v. Kallas*, 936 F.3d 536, 546 (7th Cir. 2019) (quoting *Kisela v. Hughes*, 138 S. Ct. 1148, 1152 (2018) (quotation marks omitted)). Qualified immunity thus "balances two important interests— the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officers from harassment, distraction, and liability when they perform their duties reasonably." *Pearson,* 555

U.S. at 231. It is Mr. Martin's burden to demonstrate a violation of a clearly established right. *Hernandez ex rel. Hernandez v. Foster*, 657 F.3d 463, 473 (7th Cir. 2011).

Sgt. Poehlein argues that nothing about his decision to confiscate Mr. Martin's blanket was cruel and unusual, and that just because Mr. Martin was cold for five hours, this does not rise to the level of a constitutional violation. The court agrees. Sgt. Poehlein also argues that he is entitled to qualified immunity because inmates do not have a clearly established right against short-term deprival of adequate bedding. Dkt. 62 at 14.

Here, the incident does not rise to the level of cruel and unusual punishment, and more so, Sgt. Poehlein is entitled to qualified immunity. Once qualified immunity is raised, it is Mr. Martin's burden to demonstrate that he had a constitutional right against a short-term deprivation of bedding, and he has not met this burden. Although Mr. Martin cites two cases that discuss when cold temperatures may rise to a constitutional violation, the short duration of this incident differentiates this case from his cited caselaw. Accordingly, Sgt. Poehlein is entitled to qualified immunity as to the Eighth Amendment claim against him.

Even if Sgt. Poehlein was not entitled to qualified immunity, Mr. Martin's claims would still fail. The Eighth Amendment's proscription against cruel and unusual punishment protects prisoners from the "unnecessary and wanton infliction of pain" by the state. *Hudson v. McMillian*, 503 U.S. 1, 5 (1992) (citation and internal quotations omitted). Pursuant to the Eighth Amendment, prison officials have the duty to provide humane conditions of confinement: "prison officials must ensure that inmates receive adequate food, clothing, shelter, and medical care, and must take reasonable measures to guarantee the safety of the inmates." *Farmer v. Brennan*, 511 U.S. 825, 832 (1994) (internal quotation omitted). To succeed on a conditions-of-confinement claim under the Eighth Amendment, a plaintiff must show that 1) he was incarcerated under conditions that

posed a substantial risk of objectively serious harm, and 2) the defendants were deliberately indifferent to that risk, meaning they were aware of it but ignored it or failed "to take reasonable measures to abate it." *Townsend v. Cooper*, 759 F.3d 678, 687 (7th Cir. 2014); *Pyles v. Fahim*, 771 F.3d 403, 409 (7th Cir. 2014); *Townsend v. Fuchs*, 522 F.3d 765, 773 (7th Cir. 2008) (citing cases).

To satisfy an Eighth Amendment conditions-of-confinement claim, a plaintiff must establish an objective and subjective component. *Giles v. Godinez*, 914 F.3d 1040, 1051 (7th Cir. 2019). The objective showing means "that the conditions are sufficiently serious—i.e., that they deny the inmate the minimal civilized measures of life's necessities, creating an excessive risk to the inmate's health and safety." *Id.* (internal quotation omitted). "According to the Supreme Court, . . . 'extreme deprivations are required to make out a conditions-of-confinement claim.'" *Id.* (quoting *Hudson*, 503 U.S. at 9). "If under contemporary standards the conditions cannot be said to be cruel and unusual, then they are not unconstitutional, and to the extent that such conditions are restrictive and even harsh, they are part of the penalty that criminal offenders pay for their offenses against society." *Id.* (cleaned up). After showing the objective component, a plaintiff must next establish a "subjective showing of a defendant's culpable state of mind," and "the state of mind necessary to establish liability is deliberate indifference to the inmate's health or safety." *Id.* (internal quotation omitted). Thus, negligence or even gross negligence cannot by itself support a § 1983 claim. *See Huber v. Anderson*, 909 F.3d 201, 208 (7th Cir. 2018).

Although the Eighth Amendment protects against the malicious and sadistic infliction of pain and suffering, the Seventh Circuit has explicitly rejected the argument that a short-term denial of a useable mattress or bedding constitutes an Eight Amendment violation. *Stephens v. Cottey*, 145 Fed. Appx. 179, 181 (7th Cir. 2005). ("Sleeping for three days on a bedframe without a mattress is not extreme.") And if three days without a mattress are not sufficient to rise to a

constitutional violation, a few hours with a dry mattress but no bedsheets certainly cannot rise to the level of an Eighth Amendment violation.. Mr. Martin admits that the total deprivation was a single night due to a prison policy that prevented inmates from hanging up their blankets, and he sustained no injuries from the incident. No reasonable juror could find that Sgt. Poehlein violated Mr. Martin's Eighth Amendment rights. As such, summary judgment must be **granted**.

IV.
Conclusion

Sgt. Poehlein 's motion for summary judgment, dkt. [61], is **GRANTED**.

Mr. Martin's motion to strike the defendant's reply, dkt. [77], is **DENIED.**

Partial final judgment will not issue. The only claims remaining are Fourteenth Amendment racial discrimination claims against Captain Noble and Sgt. Poehlein.

The Court prefers that Mr. Martin be represented by counsel for the remainder of this action. The **clerk is directed** to send Mr. Martin a motion for assistance recruiting counsel with his copy of this Order. Mr. Martin has **through 21 days after the docketing of this order**, to file a motion for counsel using this form or to inform the Court that he wishes to proceed pro se.

The magistrate judge is requested to conduct further proceedings in preparation for a settlement conference or trial on the remaining claims.

IT IS SO ORDERED

Date: 9/04/2025

RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

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