

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ROBERT S. WOODS, II,)	
)	
Plaintiff,)	
)	
v.)	No. 1:22-cv-00875-RLY-TAB
)	
M. RAWLEY,)	
)	
Defendant.)	

**ORDER AWARDING DAMAGES
AND DIRECTING ENTRY OF FINAL JUDGMENT**

I. Background

Plaintiff Robert S. Woods, II, an Indiana Department of Correction (IDOC) inmate, filed this action pursuant to 42 U.S.C. § 1983, alleging an Eighth Amendment excessive force claim against Defendant M. Rawley, a former officer of the IDOC at Pendleton Correctional Facility (Pendleton). Dkt. 17. Mr. Woods alleged that Defendant Rawley punched and choked him while he was in handcuffs. Defendant Rawley slammed Mr. Woods' face into a cement floor, spit on him, and called him a racial slur. *Id.* at 2.

On May 23, 2023, the court directed the clerk to issue an entry of default against Defendant Rawley for his failure to plead or otherwise defend this action. Dkt. 50; *see also* Fed. R. Civ. P. 55(a). Because default was issued against Mr. Rawley, the facts alleged in the complaint are taken as true. *VLM Food Trading Intern., Inc. v. Ill. Trading Co.*, 811 F.3d 247, 255 (7th Cir. 2016).

Accordingly, the court held an evidentiary hearing on June 6, 2024, to determine the amount of damages to which Mr. Woods is entitled. This Order addresses the court's findings from the hearing, determines the amount of damages owed to Mr. Woods, and directs entry of final judgment in this action.

II. Mr. Woods' Testimony

On June 6, 2024, Mr. Woods appeared in person, *pro se*, for the damages hearing. Defendant Rawley failed to appear. Mr. Woods was sworn in and testified regarding the damages he incurred. Mr. Woods testified that Defendant Rawley escorted him to a recreation cell and "slung" him into the cell door. When Mr. Woods asked Defendant Rawley why he did so, Defendant Rawley entered the cell with Mr. Woods and proceeded to punch and choke him, spit on him, and call him a racial slur, all while Mr. Woods was handcuffed behind his back. Mr. Woods testified that he had problems with vision in his right eye after the incident and now requires glasses for reading. He also testified that he suffered depression and symptoms of post-traumatic stress for several months after the incident because he feared that Defendant Rawley's co-workers would retaliate against him.

III. Findings and Award of Damages

The facts as alleged in Mr. Woods' amended complaint have already been accepted as true. The court also credits Mr. Woods' sworn testimony confirming that Mr. Rawley punched and choked him without cause. The court also credits Mr. Woods' testimony that he suffered some amount of vision impairment in his right eye as a result of the incident and suffered emotional and mental effects for several months after the incident.

In addition, the court has reviewed video evidence of the incident. That evidence does not clearly show the incident, and has no accompanying audio, but it does show Defendant Rawley escorting Mr. Woods into a recreation cell, the two men exchanging words, and Defendant Rawley immediately entering the cell. From there, only the reflections of Defendant Rawley's uniform and Mr. Woods' orange clothing can be seen on the shiny black wall of the recreation cell. It appears that Defendant Rawley takes Mr. Woods to the ground. When he stands Mr. Woods back up and

escorts him out of the cell, Mr. Woods appears to have a bloody scrape at his left temple. Dkt. 76, video evidence.

Mr. Woods's complaint seeks \$1,000,000 in damages and transfer to another facility. Dkt. 2 at 2. However, on August 2, 2023, Mr. Woods notified the court that he no longer wishes to be transferred to a different facility. Dkt. 46.

A. Compensatory Damages

The court must consider several factors in determining the amount of compensatory damages that should be awarded to Mr. Woods. To reach its determination, the court considers the physical, mental, and emotional pain that Mr. Woods suffered as a result of Defendant Rawley's attack. *See* Seventh Cir. Pattern Civ. Jury Instructions, Damages: Compensatory [7.26] (2017). Actual or compensatory damages are to "compensate person for injuries that are caused by the deprivation of constitutional rights." *Memphis Cmty. Sch. Dist. v. Stachura*, 477 U.S. 299, 307 (1986). Actual damages include compensation for out-of-pocket loss, other monetary losses and for impairment of reputation, personal humiliation, mental anguish and suffering. *Id.* Under 42 U.S.C. § 1997e(e), "[n]o Federal civil action may be brought by a prisoner confined in a jail, prison, or other correctional facility, for mental or emotional injury suffered while in custody without a prior showing of physical injury or in the commission of a sexual act (as defined in section 2246 of Title 18)."

The court finds, based on Mr. Woods' testimony, that he suffered physical injuries including injury to his right eye. Thus, he may also recover for mental or emotional injuries suffered as a result of the attack. The court finds by a preponderance of the evidence that Defendant Rawley's actions caused Mr. Woods pain when the incident occurred, damaged his vision in his right eye, and caused him lingering mental and emotional injuries in following months. The court

concludes that the injuries inflicted on Mr. Woods by Defendant Rawley warrant an award of compensatory damages in the amount of **\$2,500**.

B. Punitive Damages

In addition, the court considers the appropriateness of awarding punitive damages. "Punitive damages are recoverable in [42 U.S.C.] § 1983 actions where the defendant had a reckless or callous disregard to the federal protected rights of others." *Woodward v. Corr. Med. Servs. of Ill., Inc.*, 368 F.3d 917, 930 (7th Cir. 2004). Such damages serve "to punish the defendant for reprehensible conduct and to deter him and others from engaging in similar conduct." *Kemezy v. Peters*, 79 F.3d 33, 34 (7th Cir. 1996). Although Mr. Woods did not specifically seek punitive damages in his amended complaint, "Rule 54(c) leaves 'no question that it is the court's duty to grant whatever relief is appropriate in the case on the facts proved.'" *Curry v. Revolution Lab's, LLC*, 124 F.4th 441, 451 (7th Cir. 2024) (quoting *Kaszuk v. Bakery & Confectionery Union & Indus. Int'l Pension Fund*, 791 F.2d 548, 559 (7th Cir. 1986)). The court applies a preponderance of evidence standard in its assessment of whether Mr. Woods is entitled to punitive damages. *See* Seventh Cir. Pattern Civ. Jury Instructions, Damages: Punitive [7.28] (2017).

First, the court credits Mr. Woods' testimony that Defendant Rawley's attack on him was unprovoked. The court therefore finds that he has established that Defendant Rawley's conduct was malicious or in reckless disregard of his rights, and thus, punitive damages are appropriate.

Second, the court must consider several factors in determining the amount of punitive damages that should be awarded. To reach its determination, the court considers:¹ "(1) the reprehensibility of the defendant's conduct; (2) the impact of the defendant's conduct on the

¹ The court did not consider the defendant's financial condition, as this should only be considered if evidence was admitted on this topic, which it was not in this case. *See* Seventh Cir. Pattern Civ. Jury Instructions, Damages: Punitive [7.28] (2017).

plaintiff; (3) the relationship between the plaintiff and defendant; (4) the likelihood that the defendant would repeat the conduct if an award of punitive damages is not made; . . . and (5) the relationship of any award of punitive damages to the amount of actual harm the plaintiff suffered." *Id.*

The court finds that Defendant Rawley's conduct, including his unprovoked physical attack on Mr. Woods and use of racial slurs, was reprehensible. The court finds that Mr. Woods' distrust of facility guards, as a direct result of Defendant Rawley's conduct, and the physical injury Mr. Woods suffered from the attack, has made an impact on him. Defendant Rawley was in a position of power as a guard in charge of Mr. Woods' custody, but this factor is less severe because Defendant Rawley is no longer an IDOC employee. Similarly, the likelihood that Defendant Rawley would repeat the same conduct is moot because he is no longer employed in this position. Finally, the court finds that Mr. Woods suffered lingering physical, mental, and emotional effects of the attack.

Weighing the aforementioned factors, the court concludes that Defendant Rawley's unprovoked attack on Mr. Woods warrants an award of punitive damages. **The court now issues an award of \$2,500 in punitive damages.**


IV. Conclusion

Based on Mr. Woods' testimony, and for the reasons explained in this Order, the court finds that **Mr. Woods is entitled to compensatory damages in the amount of \$2,500 and punitive damages in the amount of \$2,500.** Judgment in the amount of **\$5,000** shall issue accordingly. Final judgment consistent with this Order shall issue. The court reminds Mr. Woods that it is his obligation to collect on this monetary judgment.

Mr. Woods' motion for settlement conference, dkt. [67], and motion for damage hearing, dkt. [79], are **denied as moot**. His motions for court assistance and status update, dkt. [66], dkt. [73], and dkt. [80], are **granted to the extent** this Order resolves his complaint by awarding damages and directing entry of final judgment. His motion for copies, dkt. [60], is **denied**. The motion requests a free copy of transcripts for this case. The motion was filed before the damages hearing took place and it is not clear to the court what transcripts Mr. Woods is seeking. In any event, a transcript of the damages hearing has not been produced, and Mr. Woods is not entitled to a free transcript. He may renew his motion if he wishes to pay for transcription of the damages hearing.

IT IS SO ORDERED.

Date: 2/27/2025



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

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