UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JUAN ROBINSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:23-cv-00362-MPB-TAB
	)	
LIEDTKE, *et al.*,	)	
	)	
Defendants.	)	

ORDER ON DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Juan Robinson alleges that the defendants wrongly removed him from a mental health treatment program at Pendleton Correctional Facility, deprived him of mental health care, and failed to respond appropriately during an episode in which he cut himself multiple times with a razor. All defendants have moved for summary judgment. For the following reasons, all defendants are entitled to summary judgment *except* for Adefemi Adefila.

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 Indiana Univ.*, 870 F.3d 562, 573−74 (7th Cir. 2017) (cleaned up).

"[A] party seeking summary judgment always bears the initial responsibility of informing the district court of the basis for its motion, and identifying those portions of 'the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any,' which it believes demonstrate the absence of a genuine issue of material fact." *Celotex Corp. v. Catrett,* 477 U.S. 317, 323 (1986). "[T]he burden on the moving party may be discharged by 'showing'—that is, pointing out to the district court—that there is an absence of evidence to support the nonmoving party's case." *Id*. at 325.

Whether a party asserts that a fact is undisputed or genuinely disputed, the party must support the asserted fact by citing 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. Facts

Pendleton Correctional Facility operates an Intensive Residential Treatment (IRT) program for certain inmates in need of mental health services. Dkt. 79-2 ¶ 5; dkt. 88-2 ¶ 5. Inmates must be admitted into the program. Dkt. 88-2 ¶ 5. Unlike general population units, IRT units are made of single-occupancy cells. Dkt. 79-3 at 13:8–11. IRT inmates are offered group therapy twice per day and one-on-one mental health appointments once per month. *Id.* at 15:14–21, 18:5–8.

Mr. Robinson entered IRT on January 9, 2022. Dkt. 79-1 at 16–23. His mental health conditions included antisocial personality disorder and major depressive affective disorder. *Id.* at 19. Dr. Heather Verdon determined on November 18, 2022, that Mr. Robinson's "current mental

health needs" made it appropriate to transfer him to a general population unit. Dkt. 88-7. Mr. Robinson was readmitted to IRT in September 2023. Dkt. 79-3 at 14:6–11. His claims concern his removal from IRT and the period between his times in IRT.

A. Dr. Liedtke

Defendant Centurion Health of Indiana, LLC, employed Defendant Dr. Christine Liedtke to treat inmates during Mr. Robinson's time in IRT. Dkt. 79-2 ¶ 2. Mr. Robinson's medical records document one interaction with Dr. Liedtke. Dkt. 79-1 at 10–12. These notes are dated September 15, 2023, about ten months after Mr. Robinson was removed from IRT and about the time he was readmitted. Dr. Liedtke wrote that Mr. Robinson:

- reported that prison investigators were stalking him;
- "accrued numerous conduct reports";
- demanded to be transferred to a different facility;
- refused to attend group therapy more often than he attended;
- was suspected of participating in gang activities;
- had a stable mood and no mental health symptoms; and
- did not require psychotropic medication.

Id. at 11.

Mr. Robinson addressed a healthcare request to Dr. Liedtke on September 23, 2022, alleging that an investigator was harassing him and no member of the prison staff would address the situation. *Id.* at 15. Three days later, he submitted another request to Dr. Liedtke accusing her of "working with the corruption and retaliation." *Id.* at 13.

Mr. Robinson believes that Dr. Liedtke made the decision to remove him from IRT. Dkt. 79-3 at 21:2–4. He attests that she told him she was kicking him out of the program because he accrued eight conduct reports. *Id.* at 37:19–38:2.

B. Defendants Reagle, Bryant, and Smith

At all relevant times, Dennis Reagle was Warden of Pendleton Correctional Facility. Maggie Bryant was Deputy Warden, and Aaron Smith was an Executive Assistant. Dkt. 88-3 ¶ 2; dkt. 88-3 ¶¶ 3–4.

After Mr. Robinson received the conduct reports that he believes caused his removal from IRT, he wrote requests slips to Warden Reagle, Deputy Warden Bryant, and Mr. Smith. Mr. Robinson attests that those request slips conveyed that he needed help and should not be removed from IRT. He never received responses and does not know whether the defendants ever received them. Dkt. 79-3 at 21:9–22:16.

Mr. Robinson addressed a request slip dated September 23, 2022, to Warden Reagle. It states:

> I have wrote grievance's, A. Smith, the Madison Country Courts, etc. about my safety here with O-I-I Cochran being unprofessional harassing me. I have my back against the wall. I can't win and I will like a separate tee on this official please and thank you.

Dkt. 88-8 at 1.

Mr. Robinson wrote a grievance dated November 21, 2022, stating:

> Pendleton Mental health is not trying to treat my mental health issues. I inform Mrs. Husac Mrs. Davenport about me using drugs and my state of mind with depression and thoughts of hurting myself some time. I have a prisoner's right for psychiatric care and substance abuse. ISR/IRT violated my Eight amendment fail to treat my steady mental deterioration manic depression and I inform mental health that it's only going to get worsen without me gong to group. IRT officials is also violation my fourteenth Amendment refusing me medical treatment I'm seeking. They failed to provied me with information with is deliberate indifference to my rights. I will be seek medical negligence. I recieve medical treatment before prison. There will be a lawsuit.

Id. at 7. For relief, Mr. Robinson requested: "To recieve mental health and substance abuse treatment that I'm been force out of for no reason. The provision of medical/mental health care." *Id.*

On December 16, 2022, the grievance supervisor responded in writing. *Id.* at 6. This response included three written responses, including one from Dr. Liedtke. *Id.* She wrote that Mr. Robinson "choose to engage inappropriately in IRT" and did "not demonstrate mental health symptoms that require placement in a mental health unit." *Id.* Two health service administrators wrote that he saw his primary therapist regularly and could submit a healthcare request form to receive additional treatment. *Id.*

On December 19, Mr. Robinson wrote a grievance appeal stating: "How is hearing voice's and depression and wanting to hurt myself and other not mental health. Yes I have a problem, too. Yes! I need help. And been to mental health facility and the real world." *Id.* at 2. Warden Reagle responded on February 21, 2023, that he deferred to the medical staff's recommendations and reiterated that Mr. Robinson could submit a healthcare request to seek additional care. *Id.*

Deputy Warden Bryant had no involvement in admitting Mr. Robinson to or removing him from IRT, in his mental health care, or in any other matter related to this case, except being the addressee of the request slips Mr. Robinson described in his deposition. *See generally* dkt. 88-2. The same is true for Mr. Smith. Dkt. 88-3. Although he sometimes responded to grievance appeals on Warden Reagle's behalf, *see id.* ¶ 4, he had no apparent involvement in responding to Mr. Robinson's grievance appeal.

C. Defendants Vckov, Knotts, and Cook

Defendants Amber Vckov and Emily Knotts were casework managers in IRT. Dkt. 88-4 ¶ 2; dkt. 88-5 ¶ 2. Defendant John Cook was a unit team manager in IRT and supervised the casework managers. Dkt. 88-6 ¶¶ 3, 5.

Defendants Vckov, Knotts, and Cook were not medical or mental health professionals and did not provide mental health treatment. Dkt. 88-4 ¶ 3; dkt. 88-5 ¶ 3; dkt. 88-6 ¶ 4. Instead, their

role was to relay concerns or information about inmates' behaviors to mental health professionals. Dkt. 88-4 ¶ 6; dkt. 88-5 ¶ 6; dkt. 88-6 ¶ 7.

Mr. Robinson attests that he told these defendants that investigators were picking on him and that he was being removed from IRT wrongfully. Dkt. 79-3 at 24:2–6, 26:5–8, 26:22–27:3. He believes they were involved in the decision to remove him from IRT because they were part of a "treatment team" of correctional and medical staff members who met weekly to discuss IRT inmates. *Id.* at 24:15–22, 25:8–11, 26:11–15.

D. Sergeant Adefemi Adefila

Adefemi Adefila was a correctional officer at Pendleton Correctional Facility from early 2021 until late 2023. Dkt. 88-1 ¶ 3. He became a sergeant in February 2023. *Id.* ¶ 4.

One night, after Mr. Robinson was removed from IRT and placed in a general population unit, he cut himself more than ten times with a razorblade. Dkt. 79-3 at 29:14–33:14. Sergeant Adefila encountered Mr. Robinson at his cell while performing a count and could see that he was cutting himself. *Id.* at 31:5–10, 32:1–4. Mr. Robinson told Sergeant Adefila he was suicidal and asked to see a mental health practitioner. *Id.* at 30:10–31:15. Mr. Robinson received no assistance until the next day. *Id.* at 30:16–22.

Mr. Robinson does not remember when this incident took place. *Id.* at 29:6–9. Sergeant Adefila does not remember interacting with Mr. Robinson at all. Dkt. 88-1 ¶ 6. Mr. Robinson alleged in his complaint that the incident occurred January 20 and 21, 2023. Dkt. 2 at 2–3. In a grievance, he described it as occurring January or February 18, 2023. Dkt. 2-1 at 1; dkt. 88-8 at 11. The defendants have designated shift rosters to show that Sergeant Adefila did not work on January or February 18, 2023. Dkt. 88-9.

III. Analysis

The Eighth Amendment imposes a duty on the states, through the Fourteenth Amendment, "to provide adequate medical care to incarcerated individuals." *Boyce v. Moore*, 314 F.3d 884, 889 (7th Cir. 2002) (citing *Estelle v. Gamble*, 429 U.S. 97, 103 (1976)). "Prison officials can be liable for violating the Eighth Amendment when they display deliberate indifference towards an objectively serious medical need." *Thomas v. Blackard*, 2 F.4th 716, 721–22 (7th Cir. 2021). "Thus, to prevail on a deliberate indifference claim, a plaintiff must show '(1) an objectively serious medical condition to which (2) a state official was deliberately, that is subjectively, indifferent.'" *Johnson v. Dominguez*, 5 F.4th 818, 824 (7th Cir. 2021) (quoting *Whiting v. Wexford Health Sources, Inc.*, 839 F.3d 658, 662 (7th Cir. 2016)).

"A medical condition is serious if it 'has been diagnosed by a physician as mandating treatment' or 'is so obvious that even a lay person would perceive the need for a doctor's attention.'" *Perry v. Sims*, 990 F.3d 505, 511 (7th Cir. 2021) (quoting *Greeno v. Daley*, 414 F.3d 645, 653 (7th Cir. 2005)). Deliberate indifference requires a finding that the defendants "consciously disregarded a serious risk to [Mr. Robinson's] health." *Dean v. Wexford Health Sources, Inc*., 18 F.4th 214, 241 (7th Cir. 2021) (cleaned up). Deliberate indifference requires more than negligence or even objective recklessness. *Id*. Rather, the plaintiff must offer evidence that the defendants "actually knew of and disregarded a substantial risk of harm." *Petties v. Carter*, 836 F.3d 722, 728 (7th Cir. 2016).

The Seventh Circuit has held that deliberate indifference occurs when the defendant:

- renders a treatment decision that departs so substantially "'from accepted professional judgment, practice, or standards as to demonstrate that'" it is not

based on judgment at all. *Petties*, 836 F.3d at 729 (quoting *Cole v. Fromm*, 94 F.3d 254, 260 (7th Cir. 1996)).

- refuses "to take instructions from a specialist." *Id.*
- persists "in a course of treatment known to be ineffective." *Id.* at 729–30.
- chooses "an 'easier and less efficacious treatment' without exercising professional judgment." *Id.* at 730 (quoting *Estelle*, 429 U.S. at 104 n.10).
- effects "an inexplicable delay in treatment which serves no penological interest." *Id.*

A. Dr. Liedtke

Dr. Liedtke argues that she is entitled to summary judgment for two reasons. First, she did not remove Mr. Robinson from IRT or even have authority to do so. Second, if she caused Mr. Robinson's removal from the IRT program, her actions were reasonable given Mr. Robinson's disciplinary violations, and therefore they did not violate the Constitution. Dkt. 80 at 8–10.

Accepting as true Mr. Robinson's testimony that Dr. Liedtke told him that she was going to remove him from the program due to his conduct reports, *see* dkt. 79-3 at 37:19–38:2, and assuming that she followed through on that remark, no trier of fact could find that Dr. Liedtke was deliberately indifferent to a serious medical need. Mr. Robinson does not offer any evidence to support a conclusion that the disciplinary actions were unfounded. If they were, it is not clear that the Court could grant him relief in this case based on the notion that the disciplinary actions were invalid. *See Edwards v. Balisok*, 520 U.S. 641, 648 (1997) (inmate deprived of good credit time in disciplinary proceeding cannot bring a suit for damages that would imply the invalidity of the disciplinary conviction and sanctions unless "the conviction or sentence has previously been invalidated"). He does not dispute that his disciplinary cases were a reasonable basis for removing

him from the program. *See* dkt. 79-3 at 38:14–18.[1] And he offers no evidence beyond his removal from the program to support a finding that Dr. Liedtke was deliberately indifferent to a serious medical need. Therefore, she is entitled to summary judgment.

B. Centurion

The Court permitted Mr. Robinson to proceed with a claim for injunctive relief only against Centurion. Dkt. 34 at 2. In the event Mr. Robinson could demonstrate that he was wrongly deprived of mental health care and still had needs that were unmet, the Court could enter an injunction requiring provision of the care he required.

The defendants present numerous reasons why Centurion is entitled to summary judgment, but one resolves the issue decisively. The basis for Mr. Robinson's claim is that he was removed from IRT and then deprived of mental health care. There is no dispute that, at least as of his deposition, Mr. Robinson had been returned to and was still in the IRT. Dkt. 79-3 at 14:6–11. Mr. Robinson offers no evidence to the contrary and provides no evidence that he is being deprived of any mental health treatment on an ongoing basis.[2]

"A court must dismiss a claim as moot if the plaintiff obtained 'outside of litigation all the relief he might have won in it.'" *DeGroot v. Wisconsin Dep't of Corr.*, No. 23-2464, 2024 WL

[1] Q. And you were aware that you had to follow the rules to remain in the IRT program, right?

A. Yes, sir.

Q. Okay. And then if you don't follow the rules, you can be removed from the program, right?

A. Yes, sir.

[2] Mr. Robinson's assertion in his summary judgment response that he "is being remove from IRT program because this law suit" is not supported by a citation to evidence. Dk. 91 at 2. If he has been removed from IRT, it is not reflected in the evidentiary record. If he has been removed in retaliation for pursuing this lawsuit, then he may be justified in pursuing a new lawsuit based on that claim, but he may not obtain injunctive relief in this case based on unproven conduct, potentially by non-defendants, and distinct from the claims alleged in the complaint.

1631416, at *2 (7th Cir. Apr. 16, 2024) (quoting *FBI v. Fikre*, 144 S. Ct. 771, 777 (2024)). Any claim against Centurion is therefore moot, and Centurion is entitled to summary judgment.

C. Defendants Reagle, Bryant, and Smith

No reasonable trier of fact could resolve Eighth Amendment claims against Warden Reagle, Deputy Warden Bryant, or Mr. Smith in Mr. Robinson's favor.

No evidence supports a finding that any of these defendants were personally involved in or responsible for Mr. Robinson's mental health care. "Liability under [42 U.S.C.] § 1983 is direct rather than vicarious; supervisors are responsible for their own acts but not for those of subordinates, or for failing to ensure that subordinates carry out their tasks correctly." *Horshaw v. Casper*, 910 F.3d 1027, 1029 (7th Cir. 2018). "[I]ndividual liability under § 1983 . . . requires personal involvement in the alleged constitutional deprivation." *Colbert v. City of Chicago*, 851 F.3d 649, 657 (7th Cir. 2017) (internal quotation omitted). The record demonstrates that these administrative defendants played no role in treating Mr. Robinson's mental health conditions or making decisions about his treatment or his participation in IRT.

At most, these defendants received request slips or grievances from Mr. Robinson alleging that he was not receiving mental health care. This does not, by itself, expose the administrative defendants to liability under the Eighth Amendment. "The division of labor is important not only to bureaucratic organization but also to efficient performance of tasks; people who stay within their roles can get more work done, more effectively, and cannot be hit with damages under § 1983 for not being ombudsmen." *Burks v. Raemisch*, 555 F.3d 592, 595 (7th Cir. 2009). Prison administrators are "entitled to relegate to the prison's medical staff the provision of good medical care." *Id.* The notion that every administrator who receives a complaint from an inmate must "drop everything" and provide a remedy "can't be right." *Id.*

More pointedly, "the law encourages non-medical security and administrative personnel at jails and prisons to defer to the professional medical judgments of the physicians and nurses treating the prisoners in their care without fear of liability for doing so." *Berry v. Peterman*, 604 F.3d 435, 440 (7th Cir. 2010). There is "no deliberate indifference" where an administrator investigates a prisoner's complaints about medical care and refers "them to the medical providers who could be expected to address" the prisoner's concerns. *Greeno v. Daley*, 414 F.3d 645, 656 (7th Cir. 2005). When the administrators received a grievance about Mr. Robinson's mental health care in late 2022, they referred it to the medical staff, including Dr. Liedtke. Their responses indicated that Mr. Robinson was receiving mental health care. The law entitled the administrative defendants to defer to the mental health care providers on the questions of whether that care was appropriate or sufficient. They are entitled to summary judgment.

D. Defendants Vckov, Knotts, and Cook

No reasonable trier of fact could resolve Eighth Amendment claims against Defendants Vckov, Knotts, and Cook in Mr. Robinson's favor. Like the administrative defendants, these defendants were not mental health professionals, and they were aware that Mr. Robinson was under the care professionals. They were therefore entitled under the Eighth Amendment to defer to the diagnostic and treatment decisions made by Mr. Robinson's mental health care providers. His testimony that he told the defendants that investigators were mistreating him and he was being unjustly removed from IRT do not support a finding that any of them were deliberately indifferent to his serious mental health conditions.

E. Sergeant Adefila

The defendants argue that Sergeant Adefila is entitled to summary judgment because he never had the interaction of which Mr. Robinson accuses him. This argument rests on a factual foundation that is in dispute.

Sergeant Adefila's argument that he could not have encountered Mr. Robinson at his cell while he was cutting himself because he did not work on the two dates identified in Mr. Robinson's grievance is, at best, incomplete. Sergeant Adefila has proven only that he did not work on January or February 18, 2023, the two dates identified in Mr. Robinson's 2023 grievance. Mr. Robinson identified two other possible dates—January 20 and 21—which Sergeant Adefila does not address at all. And, more broadly, Mr. Robinson concedes that he cannot remember the precise date of the incident. Dkt. 79-3 at 30:6–9. This is hardly surprising given that it occurred during a period of mental distress significant enough to provoke self-mutilation and suicidal thoughts.

Mr. Robinson's claim against Sergeant Adefila is that he was deliberately indifferent to a serious risk of harm stemming from a serious mental health condition—not that he was deliberately indifferent to a serious risk of harm that occurred on a precise date. Certainly, Mr. Robinson's inability to remember the date of the incident may bear on the credibility of his testimony, but this Court may not consider such matters at summary judgment. *Miller*, 761 F.3d at 827

The Court can give no greater credence to Sergeant Adefila's argument that he was not involved in the incident because he has no memory of interacting with Mr. Robinson. That theory is directly contradicted by Mr. Robinson's deposition testimony—designated by the defendants—that Sergeant Adefila saw him cutting himself. "[S]ummary judgment cannot be used to resolve swearing contests between litigants." *Payne v. Pauley*, 337 F.3d 767, 770 (7th Cir. 2003).

The defendants do not argue that, if Sergeant Adefila saw Mr. Robinson cutting himself, heard his complaints of suicidality, and did nothing, his failure to act would not amount to deliberate indifference. They also limit their qualified immunity argument to Mr. Robinson's removal from IRT and do not extend it to this episode. *See* dkt. 89 at 15. Therefore, there is no basis for Sergeant Adefila to receive summary judgment.

IV. Conclusion

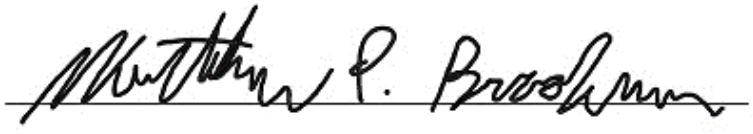
The medical defendants' motion for summary judgment, dkt. [78], is **granted**. The state defendants' motion for summary judgment, dkt. [87], is **granted in part** and **denied in part**. All claims are **dismissed with prejudice** except those against Sergeant Adefila. No partial final judgment will issue.

The **clerk is directed** to change the name of "Defendant Double A" to "Adefemi Adefila" on the docket and then **terminate** all other defendants.

Claims against Sergeant Adefila will be resolved by settlement or trial. The Court *sua sponte* reconsiders and **grants** Mr. Robinson's motions to appoint counsel, dkts. [56] and [70]. The Court will attempt to recruit counsel to represent Mr. Robinson through final judgment.

IT IS SO ORDERED.

Dated: August 26, 2025



Matthew P. Brookman, Judge
United States District Court
Southern District of Indiana

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