

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted May 1, 2025*

Decided May 5, 2025

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

No. 24-1481

RYAN T. HALLIGAN,
Plaintiff-Appellant,

v.

JAMES OLDHAM, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Southern District of
Indiana, Indianapolis Division.

No. 1:21-cv-01008-TWP-TAB

Tanya Walton Pratt,
Chief Judge.

ORDER

Ryan Halligan filed this suit under 42 U.S.C. § 1983, alleging that, while he was a pretrial detainee at the Bartholemew County Jail in Indiana, correctional officers punished him by placing him in segregation without a hearing, in violation of his due process rights. The district court entered summary judgment in favor of the defendants.

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

Because the undisputed evidence shows that the defendants placed Halligan in segregation for administrative reasons and that they periodically reviewed his placement, we affirm the judgment.

We review the district court's summary-judgment order de novo, recounting the facts and drawing inferences in the light most favorable to Halligan. *See James v. Hale*, 959 F.3d 307, 314 (7th Cir. 2020). On October 30, 2020, Halligan was arrested on charges of attempted murder, aggravated battery, and strangulation, among other charges. The charges attracted media attention because the alleged victim was a professional figure skater who was well-known in the community. Halligan was booked in the Bartholemew County Jail in Columbus, Indiana, and from the date of his arrest was placed in a holding cell. Then, on November 16, jail administrators moved him to administrative segregation.

Before his placement in segregation, Halligan requested several times to be moved to a medical cell. The first request came on November 12, when he asked to be moved for reasons including "mental problems," his "high profile" case, and because he wanted an hour out of his cell "for [his] mind to clear out." He submitted similar requests on November 15 and 16. In his final request, he stated that he wanted to be moved to a medical cell so that he could go to the hospital a few times per week and because he had a "high profile case" he did not "want to be around people." Then, on November 16, classification officers John Oldham and Devon Pattingill, along with jail commander John Martoccia, determined that Halligan should be placed in administrative segregation to protect him from the risk of retaliatory attacks by detainees who had access to news about the case. (Halligan says that the jail officers never told him why he was being moved to segregation.)

Classification officers reviewed housing assignments approximately every two weeks by printing out a roster of the detainees in segregation and considering whether each placement remained appropriate. Because Halligan's placement in administrative segregation stemmed from the notoriety of his charges, the periodic reviews of his housing assignment did not yield any changes.

Soon after his placement in administrative segregation, Halligan began requesting to be moved to the jail's general population. In January 2021, he made several requests, which coincided with a four-week lockdown to limit the spread of the COVID-19 virus within the jail. Jail officials did not reassign him within this time. In February, Halligan asked to be moved when the lockdown ended, but at that time he

was serving a 15-day disciplinary sentence, which ended on February 17. Halligan again requested to be moved to general population on March 22. Three weeks later, on April 13, an assistant jail commander approved Halligan's request. It is unclear from the record the precise reason for Halligan's move to general population; nonetheless, Halligan signed a form stating that he was "given the opportunity to stay in segregation due to potentially having issues with inmates" and that he did not fear for his safety in general population.

Halligan later filed this § 1983 suit against Oldham, Pattingill and Martoccia, the jail officers who were involved in the decision to place him in administrative segregation. He alleged that the defendants violated his due process rights by placing him in segregation as punishment for his arrest in his high-profile case and that they did not conduct meaningful periodic reviews to determine whether his placement in segregation remained appropriate. Halligan also alleged that the defendants subjected him to unconstitutional conditions of confinement by depriving him of recreational time while he was in a holding cell.

The district court later granted the defendants' motion for summary judgment. The court determined that no reasonable jury could find that Halligan was placed in segregation for purposes of punishment. Instead, the court explained, the undisputed evidence showed that the defendants placed Halligan in segregation for administrative reasons, namely, to protect him from the risk of physical attacks by detainees who had access to news about the case. The court also determined that no reasonable jury could conclude that Halligan was denied meaningful periodic review of his placement in segregation. Lastly, the court ruled that the defendants did not subject Halligan to unconstitutional conditions of confinement because 17 days without recreational time (the number of days that Halligan spent in a holding cell) was not an objectively serious threat to his health. (Halligan does not challenge the district court's decision on his conditions-of-confinement claim, and so we do not discuss it further.)

On appeal, Halligan first challenges the district court's conclusion that the defendants placed him in segregation for administrative purposes. As Halligan sees things, he was placed in segregation as punishment for his case and should have received a hearing beforehand. But we agree with the district court that the undisputed evidence shows that the defendants placed Halligan in segregation not as a matter of punishment, but instead to protect him from other detainees. To be sure, Halligan is correct that a pretrial detainee may not be punished without due process. *See Bell v. Wolfish*, 441 U.S. 520, 535–36 (1979). Yet no process is due when a detainee is placed in

segregation for nonpunitive reasons such as institutional safety or security. *Higgs v. Carver*, 286 F.3d 437, 438 (7th Cir. 2002). Here, Halligan presented no evidence to contradict the defendants' affidavits averring that his segregation was nonpunitive—to protect him from detainees who had access to news media covering his case.

Still, jail administrators must periodically review whether a detainee's placement in segregation remains appropriate. *See Isby v. Brown*, 856 F.3d 508, 524 (7th Cir. 2017) (citing *Hewitt v. Helms*, 459 U.S. 460, 477 n.9 (1983)). Although the frequency of the reviews is left to the discretion of jail administrators, *see id.* at 525, the reviews must be "meaningful and non-pretextual," *id.* at 527 (citation omitted). In other words, the review must be "an actual review—*i.e.*, one open to the possibility of a different outcome." *Id.* at 528. On this point, Halligan argues that the district court erred in granting the defendants' motion for summary judgment because the record is unclear regarding whether they periodically reviewed his housing. We disagree.

The undisputed evidence shows that classification officers reviewed Halligan's placement every two weeks and that his housing assignment did not change because his circumstances did not change: he remained at risk of physical attacks by detainees who had access to news media covering his case. What is more, Halligan signed the form acknowledging that he was "given the opportunity to stay in segregation due to potentially having issues with inmates" and that he did not fear for his safety in the general population of the jail. This is not a situation where the record presents conflicting evidence as to the reasons for Halligan's continued confinement. To the contrary, the undisputed evidence shows that Halligan remained in segregation because of the notoriety of his charges, and he was moved to general population only after he assured jail officials that he did not fear for his safety. *Cf. id.* at 529 (summary judgment improper where the record contained conflicting evidence as to the reasons for the inmate's continued segregation). On this record, a reasonable jury could not find that Halligan was denied periodic reviews of his segregation or that his housing assignment was punitive.

AFFIRMED