

NONPRECEDENTIAL DISPOSITION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 June 20, 2025*

Decided June 24, 2025

Before

DAVID F. HAMILTON, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 24-3035

NIRIN WALLS,
Plaintiff-Appellant,

v.

N.P. MERSHON, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Northern District of Illinois,
Western Division.

No. 24 C 50011

Iain D. Johnston,
Judge.

ORDER

Nirin Walls, an Illinois prisoner who suffers from chronic seizures, sued officials at the Dixon Correctional Center under 42 U.S.C. § 1983, and the Americans with Disabilities Act (ADA), alleging that the prison's mishandling of his medical condition

* 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).

on several occasions caused him to suffer additional seizures and injuries. Walls's complaint made numerous allegations against multiple defendants; the district court provided him with several opportunities to amend it. Ultimately, Walls failed to abide by the district court's instructions. Upon preliminary review under 28 U.S.C. § 1915A, the court severed the unrelated claims and dismissed the action for failure to state a claim. Because the district court did not abuse its discretion in severing Walls's claims and because it correctly concluded that the remaining claims failed to state a claim upon which relief can be granted, we affirm.

The following facts come from Walls's complaint. We assume the truth of his allegations, as supplemented by the documents he attached, and draw all reasonable inferences in his favor. *See* FED. R. CIV. P. 10(c); *O'Brien v. Vill. of Lincolnshire*, 955 F.3d 616, 621 (7th Cir. 2020). Sometime in early 2021, defendants Carpenter (a health care unit administrator) and Nurse Mershon⁺ changed Walls's seizure medication without informing him. Walls refused to take the medication because it was unfamiliar to him.

On March 21, 2021, Walls suffered a seizure in his cell. A tactical team responded by handcuffing and macing him. After they left him on the ground, he had another seizure, injuring his head and back. Defendants Hayes and Mershon, both nurses, refused to place him in a 23-hour medical hold. Despite Walls's request for a cellmate for the purpose of helping to protect him during seizures, the prison housed him alone.

On April 4, Walls filed a grievance seeking information about the new medication and contesting the lack of care after the March 21 seizure. The prison's administrative board concluded that Walls had received medical attention—he had been seen seven times following the seizure—but found no documentation that the medication change had been discussed with him, contrary to prison procedures.

Walls also asserts that at an unspecified time Administrator Carpenter and Nurse Hayes threatened to kill him by “putting something in” his pill envelope. Walls contends that Carpenter and Hayes knew that this threatening behavior would cause him to refuse the new seizure medication, resulting in an unmanaged risk of seizures.

Walls then filed suit, alleging that the defendants' actions violated his rights under the Eighth and Fourteenth Amendments, as well as under the ADA. In addition to the incidents related to his seizures, Walls alleged that he had been given a bottle of

⁺ The record does not include the first names of the defendants.

nasal spray from another prison official that had a different inmate's name on the label which, in Walls's opinion, caused him to contract COVID-19. He also alleged that another defendant had made racially disparaging comments to him intended to dissuade him from filing further grievances.

The district court dismissed Walls's original complaint because it was not on the proper form, and because he comingled unrelated claims against different defendants in the same action. *See* FED. R. CIV. P. 18(a), 20(a)(2). The district court granted leave to amend and instructed Walls what he must do to bring his pleading into compliance with Federal Rules of Civil Procedure 11 and 20. When Walls failed to do so within the time permitted, the district court extended the deadline. The court also warned Walls that if he submitted an amended complaint that continued to include improperly joined claims and defendants, it would be severed into separate lawsuits and Walls assessed filing fees for each.

Walls then filed an amended complaint, largely asserting the same claims against the same defendants. He argued that all of his allegations were connected, as the March 21 seizure (where he was tased and handcuffed) would not have occurred but for the medication change and his subsequent refusal to take the new medicine. In Walls's amended complaint he asked the court to "focus specifically on" the grievance and administrative board response related to the change in his medication.

The district court screened the amended complaint and ruled that Walls had not resolved the misjoinder problem. Because Walls wanted to focus on the medication-change allegations, the court selected those as the operative claims and severed the others. It then dismissed Walls's complaint, as limited, for failure to state a claim, *see* 28 U.S.C. § 1915A(b)(1), holding that the defendants' failure to discuss the medication change with him did not rise to the level of a constitutional violation. The court invited Walls to submit a second amended complaint limited to claims concerning the change in his seizure medication.

Walls filed a second amended complaint, which the district court determined was "a duplicate of the [first] amended complaint" apart from the reordering of some of the pages, and was not limited to the medication-change claims. Walls also moved for reconsideration, reiterating his theory that all of the events discussed in his complaints were connected. He conceded that he did not want to separately pursue the severed claims and would appeal an adverse decision from the district court.

The district court denied Walls's motion for reconsideration. The court stood by its initial decision to sever Walls's claims and explained that even if joinder were permissible, it would still limit this case to the medication-change claims as a matter of discretion. The district court also upheld its initial decision to dismiss that claim, explaining that the facts alleged did not plausibly suggest that either Carpenter or Mershon was deliberately indifferent to Walls's medical needs. Based on Walls's concession that he would not pursue the severed claims, the district court dismissed them without prejudice and entered judgment for the defendants.

On appeal, Walls claims that joinder was proper and that the district court abused its discretion in dismissing his case for misjoinder. Separately, he submits that the district court erred in dismissing his informed-consent claim regarding the medication change. Both fail.

First, Walls maintains that the district court abused its discretion by holding that his claims were improperly joined. He reasserts his argument that the March 21 seizure would not have occurred but for the medication change and therefore his claims were sufficiently related. But the district court acted well within its discretion in severing the claims. FED. R. CIV. P. 21 ("On motion or on its own, the court may at any time, on just terms, add or drop a party. The court may also sever any claim against a party.") Walls's allegations involve distinct events and multiple defendants, with no common thread beyond his own belief that all of his misfortune stems from the medication change. That is not enough. Generally, "[u]nrelated claims against different defendants belong in different suits." *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007). And a court maintains discretion to sever any claim if doing so will ensure manageable litigation or increase judicial economy. *See Otis Clapp & Son, Inc. v. Filmore Vitamin Co.*, 754 F.2d 738, 743 (7th Cir. 1985). The district court did not abuse its discretion in severing Walls's claims into distinct actions given the nature of the claims and parties at issue.

Walls responds that the district court improperly dismissed his claims because misjoinder alone is not a ground for dismissing an action. *See Dorsey v. Varga*, 55 F.4th 1094, 1108 (7th Cir. 2022). It is true that misjoinder of parties "is not a ground for dismissing an action," *see* FED. R. CIV. P. 21, but Walls misapprehends the basis of the district court's dismissal: The district court dismissed his complaint, as limited by its previous orders, for failure to state a claim, *see* § 1915A(b)(1), not for misjoinder.

We review Walls's challenge to the district court's dismissal of his remaining claim de novo. *See Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015). Walls maintains

that the defendants violated his rights under the Eighth and Fourteenth Amendments when they changed his medication without discussing it with him first. A reasonable medical judgment is insufficient to state a claim under the Eighth Amendment, *see Petties v. Carter*, 836 F.3d 722, 729–30 (7th Cir. 2016) (en banc), and Walls does not suggest that the change in medication was medically unsound. A prisoner has no constitutional right to the medication of his choice, *see Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1024 (7th Cir. 1996), and disagreement with a particular course of treatment, standing alone, does not state a claim for deliberate indifference, *see Thomas v. Martija*, 991 F.3d 763, 772 (7th Cir. 2021). To the extent Walls believes the defendants violated his rights under the Eighth Amendment because they failed to follow the prison’s established policies, we have held that the existence of a policy alone is insufficient to support an inference that a defendant has actual knowledge of an unreasonably dangerous condition. *Estate of Simpson v. Gorbett*, 863 F.3d 740, 746 (7th Cir. 2017).

Prisoners also retain a qualified Fourteenth Amendment right to refuse unwanted medical treatment, which includes a corollary right to receive the medical information reasonably necessary to make an informed decision. *Washington v. Harper*, 494 U.S. 210, 221–22 (1990); *Knight v. Grossman*, 942 F.3d 336, 342–43 (7th Cir. 2019). According to Walls’s own complaint, he was afforded an opportunity to decline unwanted medical treatment and exercised that right when he refused the new medication. Because Walls did, in fact, refuse unwanted treatment, he has not plausibly alleged that his right to refuse was impeded by constitutionally inadequate disclosure of medical information. *See Knight*, 942 F.3d at 342 (holding that, to establish a claim for a violation of a “right to medical information” the plaintiff must show, among other things, “that, had he received information that was not given to him, he would have exercised his right to refuse the proposed treatment”).

With respect to medical care following this refusal, the attachments to Walls’s amended complaint contradict his assertion that he received *no* medical care, and the exhibit takes precedence over his allegations. *See Phillips v. Prudential Ins. Co. of Am.*, 714 F.3d 1017, 1020 (7th Cir. 2013). As such, Walls does not plausibly allege that defendants “disregarded a substantial risk of harm.” *Petties*, 836 F.3d at 728.

AFFIRMED