

NONPRECEDENTIAL DISPOSITION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 November 4, 2025*

Decided November 5, 2025

Before

MICHAEL Y. SCUDDER, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 25-1242

COREY BENSON,
Plaintiff-Appellant,

v.

CHARLES YORK, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 23-cv-1472-bhl

Brett H. Ludwig,
Judge.

ORDER

Corey Benson, a Wisconsin prisoner, appeals the summary judgment rejecting his claim that prison officials violated his First Amendment rights when they refused to deliver a package containing a book. *See* 42 U.S.C. § 1983. We affirm.

* 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).

We recount the facts in the light most favorable to Benson, the party opposing summary judgment. *Anderson v. Street*, 104 F.4th 646, 651 (7th Cir. 2024). In March 2022, the Waupun Correctional Institution received a package addressed to Benson that did not contain a return address. The package contained a legal book, *Smith's Guide to Habeas Corpus Relief for State Prisoners Under 28 U.S.C. § 2254*. Charles York, the property sergeant who processed the package, refused to deliver it to Benson because its lack of a return address violated prison policy, and York informed Benson as much.

Later that month, Benson received a second package containing the similarly titled *Smith's Guide to State Habeas Corpus Relief for State Prisoners*, which he ordered from the same vendor as the first package. York processed and delivered the package to Benson. York asserts that although he does not remember processing the second package, it did not violate any prison policies, because if it had, he would have documented those violations.

Benson filed an inmate complaint disputing York's stated rationale for the non-delivery of the first package because both books had arrived in Amazon packaging. A complaint examiner investigated the complaint and recommended that it be dismissed based on the prison's policy that a package include a return address. The prison's inmate appeal examiner and policy-initiatives advisor accepted the recommendation and dismissed Benson's complaint and subsequent appeal.

Benson sued York and the officials involved in the denial of his complaint, asserting that they violated the First Amendment when they refused to deliver the book, failed to remedy the situation, and retaliated against him for purchasing the book. *See* 42 U.S.C. § 1983.

The district court granted the defendants' motion for summary judgment for the defendants on all three claims. The court explained that York's decision not to process the package—and the remaining defendants' assent to that decision—did not run afoul of the First Amendment, because the prison's policy requiring mail to have a return address was reasonably related to legitimate penological interests, including the need to promote prison safety and conserve officers' time in connection with incoming mail of questionable origin. Although Benson insisted that York should have opened the package because it contained a law book ordered from an approved vendor, the court refused to second guess the prison administrators' judgments over institutional operations. As for Benson's retaliation claim, the court concluded that he did not present evidence for a jury to find any retaliatory motivation behind the defendants' refusal to deliver the book.

On appeal, Benson argues that York's refusal to inspect and deliver the package was a violation of prison policy. He insists that if prison officials had opened the package, they would have seen that it was not a threat to prison safety. But even if we assume, as he suggests, that inspecting the package would have ruled out any potential threat to prison safety, Benson also needed to show that the prison's policy was not "reasonably related to legitimate penological interests." *Turner v. Safley*, 482 U.S. 78, 89 (1987). Benson, however, does not dispute the policy's validity. For the same reasons provided by the district court, we agree that no reasonable jury could conclude that York's refusal to deliver the package infringed on Benson's First Amendment rights.

Next, Benson argues that prison officials' rationale for refusing delivery was a "smoke screen" used to cover up their retaliatory act. He suggests that delivery of the second package bearing the same packaging indicates that the rationale for non-delivery of the first package was pretextual. But as the district court also properly found, Benson presented no evidence from which a reasonable jury could conclude that his attempt to receive the book motivated the defendants to refuse to deliver it. *See Manuel v. Nalley*, 966 F.3d 678, 681 (7th Cir. 2020).

We have considered Benson's other arguments, but none merits discussion.

AFFIRMED