

**NONPRECEDENTIAL DISPOSITION**  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 January 20, 2026\*  
Decided January 23, 2026

**Before**

FRANK H. EASTERBROOK, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 25-1471

NATHAN WOHLRABE,  
*Plaintiff-Appellant,*

*v.*

CHARLES BROWN,  
*Defendant-Appellee.*

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

No. 24-cv-1321-bhl

Brett H. Ludwig,  
*Judge.*

**ORDER**

Nathan Wohlrbabe sued Officer Charles Brown, raising Fourth Amendment claims stemming from his arrest for battery to a law-enforcement officer. *See* 42 U.S.C. § 1983. The district judge dismissed the lawsuit, holding that Wohlrbabe's claims are

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\* 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).

barred by *Heck v. Humphry*, 512 U.S. 477, 487 (1994), or otherwise foreclosed by the evidence. We affirm.

In 2022 Wohlrabe's wife brought him to the Veterans Affairs Medical Center in Milwaukee seeking treatment for dizziness, shortness of breath, and fatigue. According to Wohlrabe's version of events, the medical team did not promptly treat him, so he became frustrated, left his hospital bed, and ran to the hospital lobby "gasping for air, confused, and in a delirium."

Brown, a security officer at the medical center, was in the lobby. Wohlrabe says he became afraid after seeing the officer, so he ran back toward the nurses' station. Brown followed. Wohlrabe says he saw Brown reach for his gun, so in self-defense, he "leapt to [Brown's] side and touched the back of his head." Wohlrabe alleges that Brown then gratuitously slammed him to the ground and arrested him without probable cause.

The hospital's security video squarely contradicts these allegations, clearly showing that Wohlrabe violently attacked Brown without provocation. Accordingly, Wohlrabe was charged with battery to a law-enforcement officer in violation of § 940.203(2) of the Wisconsin Statutes. He pleaded no contest, and the court adjudged him guilty of the crime but found him not responsible because of mental illness. *See Wis. Stat. §§ 971.15(1), 971.165* (discussing judgment of not guilty by reason of mental disease or defect). The court committed Wohlrabe to a mental-health institution for three years. *See State v. Wohlrabe*, No. 2022CF003428 (Milwaukee Cnty. Cir. Ct. Apr. 7, 2023).

Wohlrabe filed this lawsuit in 2024 alleging that Brown violated his rights under the Fourth Amendment. He claimed that Brown arrested him without probable cause and acted unreasonably in the lead-up to the arrest by reaching for his gun and blocking his exit from the hospital.

Brown moved to dismiss for failure to state a claim, arguing that Wohlrabe's claims are barred by *Heck* and conclusively refuted by the hospital's security video, which he submitted with the motion. The video shows Wohlrabe walking around the hospital without a shirt or shoes, clearly disoriented and distressed. Medical staff try to guide him back to his room, but Wohlrabe enters the lobby of the hospital and sees Brown. Wohlrabe turns back toward the nurses' station where staff continue to try to guide him back to his room. Brown appears in the hallway by the nurses' station and is seen assisting the staff in trying to guide Wohlrabe to his room. Brown stands at a

distance from Wohlrabe with his arms outstretched, pointing down the hall. Within seven seconds of Brown's appearance, Wohlrabe charges Brown, tackles him to the ground, and repeatedly punches him in the head. Medical staff rush in to pull Wohlrabe off Brown. At no point does the video evidence show Brown reaching for his gun or preventing Wohlrabe from leaving the hospital.

The district judge dismissed the false-arrest claim under *Heck* because any finding that Wohlrabe was arrested without probable cause would necessarily undermine his conviction for battery to Brown. *See Heck*, 512 U.S. at 486–87. And although the *Heck* bar would not block a claim that Brown otherwise acted unreasonably, the judge held that Wohlrabe's allegations were conclusively refuted by the video evidence of the incident, which established that Brown acted reasonably. The judge therefore converted that portion of Brown's motion to dismiss into a motion for summary judgment and granted it.

On appeal Wohlrabe maintains that he has stated a claim that he was arrested without probable cause because he did not punch Brown and "had not committed a crime." But this argument fails to address the district court's conclusion that the claim is barred by *Heck*. *Heck* bars a suit for damages under § 1983 if the basis for the suit would undermine a conviction or sentence. *Id.* at 487. To be sure, the state court found Wohlrabe not guilty by reason of mental disease. But that determination does not render Wohlrabe not guilty of the offense of battery to a law-enforcement officer. *See State v. Koput*, 418 N.W.2d 804, 811–12 (Wis. 1988) (explaining two-stage determination of guilt and mental disease and that a finding of mental disease "is an affirmative defense to 'responsibility'—it relieves the person of the *sanctions* for criminal conduct. It does not relieve the person already found guilty in the first phase of the factual finding of criminal conduct."); *State v. Lagrone*, 878 N.W.2d 636, 644–47 (Wis. 2016) (same). Moreover, a conclusion in line with Wohlrabe's argument that his arrest was unsupported by probable cause because he did not hit Brown would necessarily imply the invalidity of that conviction. *See McCann v. Neilsen*, 466 F.3d 619, 621 (7th Cir. 2006) ("[A] plaintiff's claim is *Heck*-barred despite its theoretical compatibility with his underlying conviction if specific factual allegations in the complaint are necessarily inconsistent with the validity of the conviction . . . .").

Next, Wohlrabe maintains that the district judge erred by concluding that Brown acted reasonably in the moments before the arrest. He asserts that Brown blocked the exit of the hospital and reached for his gun. To the extent that these allegations could give rise to a valid claim under the Fourth Amendment for unreasonable seizure or

excessive use of force, the judge correctly concluded that the videos contradict them. Because Wohlrabe's allegations are plainly refuted by the security videos, there is no material dispute of fact that Brown's seizure of Wohlrabe was reasonable and that he did not use excessive force. *See Scott v. Harris*, 550 U.S. 372, 380–81 (2007); *Kailin v. Village of Gurnee*, 77 F.4th 476, 481 (7th Cir. 2023).

Finally, Wohlrabe argues that the videos do not accurately depict the events, asserting that the depth perception is "off," the timing is "too fast or too slow," and the videos are "skew[ed]" to "make it appear more aggressive." But Wohlrabe does not explain how these issues would change what is clear from the videos: Wohlrabe violently attacked Brown without provocation. Moreover, Wohlrabe submitted several responses to Brown's motion to dismiss, including his own motion for summary judgment, but he did not develop the record with any evidence supporting a challenge to the videos' authenticity.

Accordingly, the judgment is AFFIRMED. Wohlrabe filed a motion and supporting declaration in December 2025 asking us to reverse the state-court judgment and exonerate him. That motion is DENIED.