

NONPRECEDENTIAL DISPOSITION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 27, 2026*
Decided February 3, 2026

Before

MICHAEL Y. SCUDDER, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 25-1700

STANLEY L. FELTON, formerly known
as G'ESA KALAFI,
Plaintiff-Appellant,

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

v.

No. 24-cv-01489-pp

KEN DAWSON, et al.,
Defendants-Appellees.

Pamela Pepper,
Chief Judge.

ORDER

G'esa Kalafi, a Wisconsin prisoner, sued ICSolutions—a company providing tablets, headphones, and chargers to inmates at Green Bay Correctional Institution—and several of its employees for violating his rights under the First and Fourteenth

* The appellees were not served with process and are not participating in this appeal. After examining the appellant's brief and the record, we have concluded that the case is appropriate for summary disposition. *See* FED. R. APP. P. 34(a)(2).

Amendments. *See* 42 U.S.C. § 1983. The district court dismissed the complaint at screening without a response from ICSolutions. *See* 28 U.S.C. § 1915A. Because Kalafi has not stated a claim, we affirm without reaching other issues.

In 2024, Kalafi was incarcerated at Green Bay Correctional Institution, which was a test facility for tablets that ICSolutions provided for free to inmates. Kalafi had a tablet, along with earbuds and a charger, which he used to make phone calls to friends and family. He alleged that the earbuds were defective, so he filed a complaint with the Wisconsin Bureau of Consumer Protection. Ken Dawson, an employee working in consumer affairs at ICSolutions, responded to the complaint, acknowledging that ICSolutions had delivered a batch of defective earbuds to the prison. Dawson confirmed that ICSolutions had shipped replacements.

The next day, Kalafi made a two-minute phone call to his fiancée using his tablet. They discussed a murder at the prison that had occurred two days earlier. Kalafi mentioned his fear of potential racial tension and retaliation. According to Kalafi, he thought several other inmates at the prison also had discussed the incident during their phone calls. ICSolutions screened Kalafi's call and reported it to prison officials. While the prison investigated, Kalafi was placed in restrictive housing.

Kalafi then sued ICSolutions, Dawson, and two unnamed employees. He alleged that the defendants violated his rights under the First Amendment by retaliating against him for filing a consumer complaint with the Wisconsin Bureau of Consumer Protection. He asserted that they selectively flagged and reported his phone call. As a result, Kalafi said he stopped making phone calls on his tablet because he feared further retaliation. Kalafi also alleged that the defendants violated his right to equal protection by reporting his call to prison officials but not those of other inmates.

A magistrate judge screened Kalafi's amended complaint, 28 U.S.C. § 1915A, and issued a report and recommendation to which Kalafi submitted objections. The district court reviewed the materials, adopted the report and recommendation, and dismissed the complaint for failure to state claim. The court concluded, among other things, that Kalafi had not suffered a deprivation sufficient to deter First Amendment activity, and that the defendants engaged in a mere routine operation—monitoring inmate phone calls—in accordance with prison policy. The district court also concluded that Kalafi's conclusory allegations about ICSolutions's reporting practices were insufficient to state a claim under the Fourteenth Amendment. Kalafi appeals.

To prevail on a claim for retaliation in violation of the First Amendment, a plaintiff must allege that: "(1) he engaged in activity protected by the First Amendment; (2) he suffered a deprivation that would likely deter First Amendment activity in the future; and (3) the First Amendment activity was 'at least a motivating factor' in the [d]efendant's decision to take the retaliatory action." *Whitfield v. Spiller*, 76 F.4th 698, 707–08 (7th Cir. 2023) (quoting *Bridges v. Gilbert*, 557 F.3d 541, 546 (7th Cir. 2009)). An action is sufficiently adverse if it is "likely [to] deter a person of ordinary firmness from continuing to engage in protected activity." *Holleman v. Zatecky*, 951 F.3d 873, 880 (7th Cir. 2020) (quoting *Surita v. Hyde*, 665 F.3d 860, 878 (7th Cir. 2011)).

Kalafi contends that he has sufficiently alleged that ICSolutions retaliated against him in violation of the First Amendment. But we agree with the district court that the risk of a third party like ICSolutions monitoring and reporting communications from a prisoner would not deter a prisoner of ordinary firmness from filing consumer complaints. We must consider the "realities of a prison environment" when considering "what actions are sufficiently adverse." *Id.* Kalafi did not contest the magistrate judge's conclusion that he knew his non-attorney phone calls were being monitored, nor does he suggest that the policy of monitoring non-legal phone calls was improper. *See, e.g., Martin v. Tyson*, 845 F.2d 1451, 1458 (7th Cir. 1988) (limiting use of telephone by detainees to monitored calls every other day reasonably related to legitimate penological interests). And he admits that, on the call, he spoke about a murder at the prison and the possibility of retaliation and racial tension. The reporting of this call is not an action that would deter a prisoner of ordinary firmness from lodging a consumer complaint.

Moreover, to the extent Kalafi insists that his use of the tablet to make phone calls is a First Amendment protected activity from which he has been deterred, we disagree. True, "unreasonable restrictions on a prisoner's telephone access" may interfere with the First Amendment. *Tucker v. Randall*, 948 F.2d 388, 391 (7th Cir. 1991). But Kalafi's complaint contains no allegation that the tablet was the only method for prisoners to make phone calls. Indeed, he says that he was participating in a test program to give inmates greater telephone access using personal tablets.

Finally, we agree with the district court that Kalafi has not stated a claim under the Fourteenth Amendment. To state a class-of-one equal-protection claim, "a plaintiff must allege (1) that [he] has been intentionally treated differently from others similarly situated, and (2) that there is no rational basis for the difference in treatment." *145 Fisk, LLC v. Nicklas*, 986 F.3d 759, 771 (7th Cir. 2021) (quoting *Fares Pawn, LLC v. Ind. Dep't of*

Fin. Insts., 755 F.3d 839, 845 (7th Cir. 2014)). In other words, “[t]he plaintiff must present a set of facts that plausibly depict official action utterly unsupported by a rational basis.” *Frederickson v. Landeros*, 943 F.3d 1054, 1060 (7th Cir. 2019). Kalafi speculates both that other inmates discussed the murder on calls made from their tablets and that IC Solutions reported none of these calls. But we agree with the district court that this speculation alone does not satisfy the pleading standard.

AFFIRMED