

NONPRECEDENTIAL DISPOSITION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 August 18, 2026*

Decided August 21, 2026

Before

MICHAEL B. BRENNAN, *Chief Judge*

AMY J. ST. EVE, *Circuit Judge*

JOHN Z. LEE, *Circuit Judge*

No. 25-1656

KILROY WATKINS,
Plaintiff-Appellant,

v.

JACKLYON PHILLIPS, et al.,
Defendants-Appellees.

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

No. 22 C 7341

Jeffrey I. Cummings,
Judge.

ORDER

Kilroy Watkins sued police officers and employees of the Illinois Department of Children and Family Services (“DCFS”) for violating his Fourth and Fourteenth Amendment rights. *See* 42 U.S.C. § 1983. The district court concluded that the

* 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).

defendants were entitled to qualified immunity and dismissed Watkins's complaint. We affirm.

I

In February 2022, DCFS investigator Jacklyon Phillips visited the home where Watkins was staying with his sister (the homeowner), his two minor nieces, and his nineteen-year-old niece. Phillips visited because DCFS had received a call to its abuse hotline that Watkins, who at that time was "indicated" for sexual abuse from an alleged incident in 2021 (specifically for sexual molestation and penetration of a minor), had access to minor girls living in the home. "Indicated" means that DCFS had conducted a formal investigation and determined that the allegations were "supported by credible evidence." *See* 325 ILCS 5/7.4(b)(3), 5/7.12; ILL. ADMIN. CODE tit. 89, § 300.110(i). DCFS may take temporary protective custody of a child if it reasonably believes that the child's safety is in jeopardy and there is insufficient time to acquire a court order. *See* 325 ILCS 5/5.

When Phillips arrived at the home, Watkins met her at the door. Phillips identified herself as a DCFS investigator and told Watkins that he had to leave the home because he was "a registered sex offender" and could not be around his minor nieces. Phillips was partially mistaken. Although there were credible allegations against Watkins related to sexual abuse, he was not a registered sex offender. Rather, Watkins was listed on the Illinois Violent Offender Against Youth registry for a decades-old murder. Watkins informed Phillips of this but she was unmoved. Phillips called her supervisor, Sharon Richardson, and Richardson spoke with Watkins. Richardson told Watkins he needed to leave the home even though DCFS did not have a court order. Phillips then called the police.

Upon the officers' arrival, Phillips informed them that she did not want Watkins in the house because he was a registered sex offender. Watkins's sister, who arrived at the house during the confrontation, told officers she was aware of the sexual abuse allegations but did not want Watkins to leave. Phillips responded that if Watkins did not leave the house, Phillips would take all minors in the house into state custody. Watkins attempted to re-enter the house, but Officers Chanda Blackamore and Maykia Ingram blocked the door. Ultimately, Blackamore and Ingram allowed Watkins to enter the home briefly on his own to retrieve his personal belongings, after which they instructed him to leave the home. Watkins complied.

II

Watkins then sued Phillips and Richardson (the “State Defendants”), as well as Blackamore, Ingram, and the City of Chicago (the “City Defendants”) in federal court. In his second amended complaint (the only complaint relevant on appeal), he alleged that (1) by forcing him out of his sister’s home, the City Defendants violated his right against unreasonable seizure under the Fourth Amendment, and (2) both the City and State Defendants violated his due process right to familial association under the Fourteenth Amendment. *See* 42 U.S.C. § 1983. He also alleged conspiracy by the individual defendants to commit those violations, failure to intervene, and a state-law claim of indemnification against the City of Chicago. As an exhibit to the complaint, Watkins attached excerpts from the investigation reports DCFS wrote about the 2021 allegations of sexual abuse and the interaction with Watkins at his sister’s home.

The district court screened the complaint and concluded that it stated plausible claims against the defendants. After being served, the defendants moved to dismiss the complaint and attached the full versions of the investigation reports that Watkins had excerpted. They argued that they had not violated Watkins’s rights and also that they were entitled to qualified immunity. Watkins disagreed and argued that the court could not grant the defendants’ motions because its earlier screening order concluded that his claims were plausible.

The district court granted the defendants’ motions and dismissed Watkins’s complaint. It rejected Watkins’s argument that its screening order precluded later dismissal and concluded the defendants were entitled to qualified immunity. The court dismissed the Fourth Amendment claim because, in relevant part, the officers were engaged in reasonable “community caretaking” by requiring a credibly accused sexual predator to leave a home where he had access to minor children and Watkins identified no clearly established authority that this was a constitutional violation. The court dismissed the Fourteenth Amendment claims because Watkins identified no clearly established law that an uncle has a constitutional right to cohabit with his nieces—to the contrary, other courts have generally found that such a right is limited to parents and custodial guardians. The court dismissed Watkins’s remaining claims because there was no underlying constitutional violation.

III

Watkins raises three procedural challenges to the district court’s dismissal of his complaint.

Watkins first faults the district court for taking judicial notice of the DCFS investigation reports attached to the State Defendants' motion to dismiss. But the court relied on those full reports only to the extent that they duplicated information in the excerpts that Watkins attached. Both versions of the reports showed that Watkins had been indicated for sexual abuse of a minor, and that he denied owning his sister's home. (Although Watkins contests what should be inferred from those facts and the accuracy of the DCFS investigation, he does not dispute that he was indicated or that he did not own his sister's home.) Because Federal Rule of Evidence 201 allows courts to consider exhibits that are attached to the complaint and central to the allegations, and the State Defendants' exhibits were ultimately duplicative of Watkins's own exhibits, we see no error here. *See Williamson v. Curran*, 714 F.3d 432, 436 (7th Cir. 2013).

Watkins next faults the district court for not treating its screening order as definitively establishing that his claims were plausible, but again we disagree. As the district court observed, no rule requires a court to rely on its own preliminary assessment without the benefit of adversarial presentation.

As a final procedural matter, Watkins insists that the district court erred by not taking judicial notice of the officers' body camera footage. This argument was not raised until Watkins's reply brief, however, so it is waived. *Bradley v. Village of University Park*, 59 F.4th 887, 897 (7th Cir. 2023). And in any event, there is no factual dispute in this case, and the court properly accepted all of Watkins's factual allegations as true, so we see no reason that the court needed to consider the footage.

IV

Watkins next argues that the district court erred by concluding that the defendants were entitled to qualified immunity. Qualified immunity shields officials from liability unless a plaintiff can show "(1) that the official violated a ... constitutional right, and (2) that the right was 'clearly established' at the time of the challenged conduct." *Ashcroft v. al-Kidd*, 563 U.S. 731, 735 (2011) (quoting *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982)). We can uphold a grant of qualified immunity on either prong, and here, we focus on whether Watkins's purported rights were clearly established. *See id.*

Watkins contends that the Supreme Court has clearly established a right to access one's home and to familial association. *See, e.g., Soldal v. Cook Cnty.*, 506 U.S. 56, 72 (1992) (home); *Smith v. Org. of Foster Fams. for Equal. & Reform*, 431 U.S. 816, 844 (1977) (familial association). The problem for Watkins is that overcoming qualified immunity

requires a more granular analysis. *Sabo v. Erickson*, 128 F.4th 836, 845 (7th Cir. 2025) (en banc). When dealing with abstract constitutional rights, there must be caselaw specifically articulating the constitutional right and applying it to similar facts. *Id.* at 844–45; see also *Mullenix v. Luna*, 577 U.S. 7, 12 (2015) (seizure context); *Ault v. Speicher*, 634 F.3d 942, 946–47 (7th Cir. 2011) (familial integrity context). Further, it must be so clear that a defendant’s actions were unconstitutional that every “reasonable official would understand,” beyond debate, that what he did was unlawful. *Sabo*, 128 F.4th at 844 (quoting *District of Columbia v. Wesby*, 583 U.S. 48, 63 (2018)). It is the plaintiff’s burden to provide the relevantly similar caselaw. *Archer v. Chisholm*, 870 F.3d 603, 613 (7th Cir. 2017).

For familial association, the most similar case Watkins provides is *Hernandez ex rel. Hernandez v. Foster*, 657 F.3d 463 (7th Cir. 2011). *Hernandez* explains that threats used to obtain compliance with a child-welfare investigation can violate clearly established constitutional rights. *Id.* at 482. But that is only true where they are unsupported by “proper legal authority,” meaning there is not “‘some definite and articulable evidence giving rise to a reasonable suspicion’ of past or imminent danger of abuse.” *Id.* (quoting *Brokaw v. Mercer County*, 235 F.3d 1000, 1019 (7th Cir. 2000)). In *Hernandez*, we affirmed in part and reversed in part grants of qualified immunity to officials who had taken an injured child into protective custody and coerced the parents into signing a safety plan. *Id.* at 467. We held that qualified immunity was properly granted regarding the initial seizure of the child because a medical professional suggested he had been abused. *Id.* at 476, 478. But we denied qualified immunity to the official who threatened to retain custody of the child if the parents did not agree to a safety plan because intervening medical evidence showed that the child had merely suffered an accident, not abuse. *Id.* at 484. Thus, there was no reasonable suspicion of past or imminent abuse. *Id.*

Hernandez is not a similar enough case to defeat qualified immunity on Watkins’s Fourteenth Amendment claims. Here, Watkins had been credibly accused of sexually molesting another child and yet presently lived with his two minor nieces. And unlike *Hernandez*, no evidence materialized during the interaction at Watkins’s sister’s home to dispel that concern. Moreover, Watkins provides no case showing that someone like him, a non-custodial uncle, has a right to familial association with his nieces. See, e.g., *Moore v. City of E. Cleveland*, 431 U.S. 494, 504–05 (1977) (describing the right to familial association as concerned with making child-rearing decisions). To the extent that the right might extend to those without a custodial role, the “parameters of that interest are,” at best, “less well-defined,” see *United States v. White*, 782 F.3d 1118, 1139–40

(10th Cir. 2015), and neither *Hernandez* nor any of the other cases Watkins cites provides a factual parallel.

We also agree with the district court that the City Defendants are entitled to qualified immunity on Watkins's Fourth Amendment claim. Watkins points to *Florida v. Jardines*, 569 U.S. 1 (2013), to argue that "[a]t the [Fourth] Amendment's 'very core' stands 'the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion.'" *Id.* at 6 (quoting *Silverman v. United States*, 365 U.S. 505, 511 (1961)). He draws on other cases for similarly broad principles. But such broad statements do not show that the officers' obstruction of Watkins's return to the home was clearly unconstitutional. *See Mullenix*, 577 U.S. at 12. We have explained that "this court has yet to resolve the issue of whether a seizure occurs when police, by threatening arrest, prevent a current or former resident from remaining on their premises. Of course, the resident was free to travel anywhere else." *White v. City of Markham*, 310 F.3d 989, 994 (7th Cir. 2002). We are not aware of any decision after *White* that has spoken on the matter, let alone under circumstances like the ones here, where the defendants reasonably perceived Watkins as a threat to his minor nieces. To the extent that Watkins draws on Illinois statutes to show that the defendants violated his rights, state law has no bearing on the qualified immunity analysis. *Ault*, 634 F.3d at 947.

V

Finally, we note that Watkins moved to supplement the record on appeal with evidence relating to his property interest in his sister's home. Because these documents are irrelevant to our decision, we DENY that motion. *See Gallo v. Mayo Clinic Health Sys.-Franciscan Med. Ctr., Inc.*, 907 F.3d 961, 964–65 (7th Cir. 2018).

The judgment of the district court is AFFIRMED.