NONPRECEDENTIAL DISPOSITION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 October 20, 2026*
Decided October 27, 2026

Before

MICHAEL B. BRENNAN, *Chief Judge*

DORIS L. PRYOR, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 25-3037

MICHAEL L. THOMPSON,
Plaintiff-Appellant,

v.

SARAH FELTES and JEFFREY FREUND,
Defendants-Appellees.

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

No. 24-cv-0800-SCD

Stephen C. Dries,
Magistrate Judge.

O R D E R

Michael Thompson, a prisoner at Oshkosh Correctional Institution in Oshkosh, Wisconsin, sued two prison officials, alleging that they retaliated against him in violation of his rights under the First Amendment after Thompson filed grievances

* 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).

against one of them. *See* 42 U.S.C. § 1983. The district court granted summary judgment for the officials. We affirm.

Unhappy with the visitation policies at Oshkosh, Thompson submitted a grievance requesting policy changes. Jeffrey Freund, an institution complaint examiner, rejected the grievance and instructed Thompson to first bring the issue to Sarah Feltes, Thompson's unit manager. Feltes told Thompson she would not address his concerns because she was applying the prison's policies and, according to Thompson, said she did not like prisoners who complained about her staff. Thompson then resubmitted the grievance, and Freund dismissed it after determining that prison staff had followed the prison's policy.

A few months later, Thompson contracted with an attorney to mount a collateral attack on his conviction and agreed to pay the attorney $9,000 from his prisoner trust account. Following prison policy, Thompson submitted two disbursement requests to Feltes to transfer the funds to the attorney. Over the next two weeks, Thompson visited Feltes multiple times to see if she had addressed his requests. Each time, Feltes said she had not yet found time to do so. Thompson says that at one meeting, Feltes remarked that Thompson was making her staff's job harder.

Thompson then submitted two grievances asserting that Feltes denied him access to the courts by failing to process his disbursement requests. Freund dismissed them as untimely. Thompson then filed a grievance about Freund rejecting those grievances. Another institution complaint examiner investigated and dismissed that grievance.

Thompson then filed this suit under 42 U.S.C. § 1983, asserting that Feltes and Freund retaliated against him. Feltes, he alleged, retaliated for his grievance against her by refusing to process his requests for disbursement, and Freund retaliated by rejecting his grievances against Feltes. Thompson also argued that Feltes interfered with his right to counsel under the First Amendment.

During discovery, Feltes filed a declaration explaining that she did not know that Thompson had filed grievances against her until she was notified of this suit. She also explained that she handles disbursement requests "as soon as practicable," and that she gave Thompson's disbursement requests to the warden, the only person the prison's policy allows to approve requests over $250. Feltes said her involvement in handling those requests ended after she hand-delivered them to the warden. Feltes did not clarify on what date she gave Thompson's request to the warden. In his declaration, Thompson responded that he visited Feltes's office multiple times after he submitted the requests.

And during one visit, either nine or ten business days after Thompson submitted the requests, Feltes said that she would get to the requests when she could. When Thompson filed his declaration in this suit, nearly two years after his disbursement requests, the warden still had not approved them.

The district court granted the defendants' motion for summary judgment. The court explained that Thompson had not provided evidence that Feltes was personally responsible for the failure to approve the requests. The court next concluded that Freund could not have been retaliating against Thompson when he rejected the grievances against Feltes because Thompson had not yet filed a grievance against Freund. As for the claim that Feltes interfered with Thompson's right to counsel, the court reiterated that Thompson had not presented evidence from which a jury could conclude that Feltes was at fault for the failure to disburse funds.

On appeal, Thompson first argues that the district court wrongly dismissed his retaliation claim against Feltes. To show retaliation in violation of the First Amendment, Thompson needed to show that he engaged in a protected activity, an adverse action was taken against him, and his protected conduct was a factor that motivated the adverse action. *See Holleman v. Zatecky*, 951 F.3d 873, 878 (7th Cir. 2020).

A reasonable jury could not conclude that Feltes took an adverse action against Thompson. Thompson has not introduced evidence contradicting Feltes's assertion that she sent Thompson's requests to the warden, whom the parties agree has sole authority to approve requests over $250. And Feltes cannot be held liable for the warden's failure to approve Thompson's requests. *See Hunter v. Mueske*, 73 F.4th 561, 566 (7th Cir. 2023) (prison officer "cannot be held liable for failing to do something he had no authority to do"); *Burks v. Raemisch*, 555 F.3d 592, 595 (7th Cir. 2009) ("[N]o prisoner is entitled to insist that one employee do another's job.").

Thompson insists that because Feltes did not provide documents proving that she delivered Thompson's requests to the warden, a jury could infer that she did not do so. But Thompson has no personal knowledge of Feltes's practice, and he has not shown that a paper trail ordinarily would exist in these circumstances.

Thompson also argues that a jury could infer adverse action because Feltes violated a prison policy requiring disbursement requests to be approved or denied within ten business days unless there are extenuating circumstances. But even if Feltes failed to comply with the presumptive deadline for handling disbursement requests, it

does not contradict her statements that she processed requests as soon as possible and that she ultimately did deliver Thompson's requests to the warden.

Thompson also suggests that Feltes must not have processed the requests because she never verified his identity as the requestor, a step he says prison policy requires. But Thompson met with Feltes multiple times seeking updates on his requests. He does not explain how these visits would not have enabled Feltes to identify him as the requestor. Thompson's conjecture about Feltes's conduct is therefore not enough to support a reasonable inference that she failed to forward the requests. *See In re Abbott Lab'ys Preterm Infant Nut. Prods. Liab. Litig.*, 184 F.4th 554, 557 (7th Cir. 2026) (inferences supported only by conjecture or speculation are not "reasonable").

Next, Thompson's retaliation claim against Freund fails because the record lacks any evidence from which a reasonable jury could conclude that Freund acted with a retaliatory motive. *See Felton v. Brown*, 129 F.4th 999, 1013 (7th Cir. 2025). Thompson argues that Freund's rejection of the grievances against Feltes can be explained only by retaliation. Yet he does not explain what protected activity allegedly motivated that retaliation, and the record does not readily suggest an answer: Thompson's grievance against Freund came after the alleged retaliation, and Thompson does not offer any other motivation.

Finally, Thompson challenges the district court's rejection of his claim that Feltes denied him access to counsel. *See Hawkins v. Mitchell*, 756 F.3d 983, 997 (7th Cir. 2014) (citing *Denius v. Dunlap*, 209 F.3d 944, 953–54 (7th Cir. 2000) ("[T]he state cannot impede an individual's ability to consult with counsel on legal matters.")). But we have explained already that the record does not contain facts showing that Feltes was at fault for the failure to process Thompson's disbursement requests. So any claim that Feltes was responsible for interfering with Thompson's access to counsel by refusing to process his disbursement requests likewise fails.

AFFIRMED