

# Jenner & Block Team Receives Important Ruling in Prisoner Rights Case

## News

February 22, 2024

For more than two years, a Jenner & Block team has tirelessly represented John Hudson in his Section 1983 action against Wexford Health Sources, the medical provider for the Illinois Department of Corrections (IDOC), and Wexford employees. In February 2020, John began to experience extreme pain in his thumb, which was ignored by physicians at Danville Correctional Center. It wasn't until a year later that medical professionals diagnosed him with an aggressive form of cancer in his hand, which required partial amputation of his left thumb.

Throughout the case, the team discovered systemic problems with the grievance procedure, exposing a deeply flawed system where IDOC officials merely rubber stamp often inadequate medical care provided by Wexford and provide no independent review to ensure incarcerated individuals receive the treatment they need. In September of 2023, the court held an evidentiary on the issue of whether John exhausted his administrative remedies before filing his lawsuit, followed by post-hearing briefing.

On January 16, 2024, Lindsey Lusk presented the closing argument in John's hearing, powerfully highlighting three themes: prisoners like John have no control over their grievances once they file them with IDOC; prisoners' medical grievances received no substantive review; and prisoners' grievances often receive no response.

On February 14, 2024, the judge issued a 33-page ruling concluding that John exhausted all three grievances and that his claims could proceed. But the opinion extended further, concluding that there is no available grievance process for medical grievances. This ruling has significant implications for prisoners' rights litigation across the 7th Circuit because, if there are no administrative remedies available for medical grievances, prisoners need not grieve those issues and can proceed with litigation.

The Jenner team is thrilled with this result for our client and for future prisoners seeking redress for inadequate medical care.

The Jenner & Block team is led by Associate Lindsey Lusk and Partner Joel Pelz and includes Partner Andrew Merrick and Associates Adam Abdel-Mageed, Emma Costello, Vaughn Olson and Courtney Shier, and received valuable assistance from Paralegal Sophia Goebel.

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