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UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604

Office of the Clerk
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FINAL JUDGMENT

June 24, 2025

Before
DAVID F. HAMILTON, *Circuit Judge*
MICHAEL Y. SCUDDER, *Circuit Judge*
CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 24-2844	WILLIAM G. ROBERSON IV, Plaintiff - Appellant v. THOMAS J. DART, Defendant - Appellee
Originating Case Information:	
District Court No: 1:24-cv-02139 Northern District of Illinois, Eastern Division District Judge Jorge L. Alonso	

The judgment of the District Court is **AFFIRMED** in accordance with the decision of this court entered on this date.

Clerk of Court

form name: **c7_FinalJudgment** (form ID: **132**)

NONPRECEDENTIAL DISPOSITION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 June 20, 2025*
Decided June 24, 2025

Before

DAVID F. HAMILTON, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 24-2844

WILLIAM G. ROBERSON IV,
Plaintiff-Appellant,

v.

THOMAS J. DART,
Defendant-Appellee.

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

No. 24 C 2139

Jorge L. Alonso,
Judge.

ORDER

While a detainee at the Cook County Jail, William Roberson was required to attend a remote court hearing from a jail chapel. He sued Cook County Sheriff Thomas

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* The appellee was not served with process and is not participating in this appeal. We have agreed to decide the case without oral argument because the brief 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).

Dart, alleging that this arrangement violated his rights under the Establishment Clause of the First Amendment. *See* 42 U.S.C. § 1983. The district court screened the complaint and dismissed it for failure to state a claim. We affirm.

In March 2024, Roberson sued the Illinois Department of Corrections, Cook County, the State of Illinois, and the Chief Circuit Judge of Cook County, raising several issues related to his detention at the Cook County Jail in 2022. Roberson stated that he was required to attend a court hearing from a jail chapel, he injured his foot while exiting the chapel, he did not receive sentence credit to which he was entitled, and a court order related to some of his personal property was deficient.

The district court granted Roberson's motion to proceed in forma pauperis, screened the complaint, *see* 28 U.S.C. § 1915(e)(2), and dismissed it. The court explained that any claims against a judicial officer were barred based on absolute judicial immunity. The judge also dismissed any alleged state-law negligence claim. The court gave Roberson leave to file an amended complaint clarifying his allegations related to his court appearance from the jail chapel and reminded Roberson that he needed to identify a proper defendant.

Roberson filed an amended complaint against Cook County Sheriff Thomas Dart. Roberson alleged that on September 9, 2022, while he was detained at the Cook County Jail, a Sheriff's Deputy forced him to make a brief court appearance from a remote terminal in the jail's chapel. Roberson says that he was within 30 to 40 feet of a Christian altar, and religious iconography was prominently displayed. Roberson argued that this conduct violated his rights under the Establishment Clause of the First Amendment.

The district court screened the complaint again and concluded that Roberson failed to state a claim under the Establishment Clause. The court explained that Roberson did not allege that his presence in the chapel involved any proselytization or actual endorsement beyond the use of the facility for a secular purpose. The court also determined that Sheriff Dart was not a proper defendant. The complaint did not allege that Sheriff Dart was personally involved in the incident or that Roberson suffered a constitutional violation because of an official policy or widespread custom. The district court dismissed the complaint without leave to amend.

Roberson filed a motion to alter or amend the judgment, FED. R. CIV. P. 59(e), but the district court denied it. Among other things, the district court pointed out that

Roberson failed to address the court's conclusion that Roberson had failed to identify a proper defendant.

Roberson appeals. We review the district court's screening order de novo, drawing all reasonable inferences in Roberson's favor, and construing his allegations liberally. *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015).

Roberson argues that the district court improperly dismissed his amended complaint. He renews his argument that holding a remote court proceeding in a chapel and near Christian iconography constituted an impermissibly coercive government endorsement of religion. But we need not address this argument because we agree with the district court that Roberson failed to identify a proper defendant, a point that Roberson does not contest.

Under § 1983, a government official is liable only for his own misconduct. *Taylor v. Ways*, 999 F.3d 478, 493 (7th Cir. 2021). The amended complaint names only one defendant: Sheriff Dart. But the complaint is devoid of any allegations suggesting that Sheriff Dart was personally involved in the events of September 9. The body of Roberson's amended complaint states that an unnamed Sheriff's Deputy escorted him to the jail's chapel for a remote court hearing on one occasion in September 2022. The unidentified deputy is not a named defendant, and Roberson does not say that any other person was involved.

Moreover, Roberson cannot rely on a theory of *respondeat superior* liability. Instead, he must plausibly allege that Sheriff Dart himself violated the Constitution. *See Stockton v. Milwaukee County*, 44 F.4th 605, 619 (7th Cir. 2022). Supervisors may become personally involved in a subordinate's constitutional violation if they "know about the conduct and facilitate it, approve it, condone it, or turn a blind eye for fear of what they might see." *Taylor*, 999 F.3d at 494 (quoting *Matthews v. City of East St. Louis*, 675 F.3d 703, 708 (7th Cir. 2012)). But, as the district court recognized, Roberson makes no such allegations. Even construing his complaint liberally, Roberson does not allege that the chapel was used at Sheriff Dart's direction, with his knowledge, or as part of a recurring practice that Sheriff Dart deliberately ignored. Without such allegations, Roberson's § 1983 claim cannot proceed against Sheriff Dart on a theory of supervisory liability.

Finally, we agree with the district court that Roberson failed to articulate a plausible theory suggesting that Cook County had an official custom or policy that led to any deprivation of his rights. A claim against Sheriff Dart in his official capacity is

treated as a claim against Cook County itself. *Grieveson v. Anderson*, 538 F.3d 763, 771 (7th Cir. 2008). A governmental entity is not liable for the unconstitutional acts of its employees unless the acts were carried out pursuant to "an official policy, widespread custom, or deliberate act of a county decision-maker of the municipality or department." *Id.* (quoting *Wagner v. Washington County*, 493 F.3d 833, 836 (7th Cir. 2007)); *see also Monell v. Dep't of Soc. Servs.*, 436 U.S. 658, 694 (1978). Roberson's allegation that he attended a court hearing from a jail chapel on one occasion does not permit a reasonable inference that the incident resulted from an official policy or widespread custom. *See Thomas v. Cook Cnty. Sheriff's Dep't*, 604 F.3d 293, 303 (7th Cir. 2010) (explaining that while there is no consensus on how frequently misconduct must happen to impose liability under *Monell*, "it must be more than one instance, or even three" (internal citation omitted)).

AFFIRMED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIAM G. ROBERSON IV,	)	
	)	
Plaintiff,	)	
	)	**Case No. 24 C 2139**
v.	)	
	)	**Hon. Jorge L. Alonso**
TOM DART,	)	
	)	
Defendant.	)	

ORDER

Following initial review of plaintiff's amended complaint pursuant to 28 U.S.C. § 1915(e)(2), this case is dismissed with prejudice for failure to state a claim on which relief may be granted. Plaintiff's motions for attorney representation [5] and extension of time for service [9] are denied as moot. Civil case terminated.

STATEMENT

In this civil rights case brought under 42 U.S.C. § 1983, the Court previously granted plaintiff William G. Roberson IV's application to proceed *in forma pauperis*, 28 U.S.C. § 1915(a)(1), but dismissed the complaint for failure to state a claim, 28 U.S.C. § 1915(e)(2)(B)(ii). (Apr. 22, 2024 Order, ECF No. 7.) The dismissal was with prejudice as to most of the claims he had asserted, but without prejudice as to his claim for violation of the Establishment Clause of the First Amendment, which the Court could not say was certainly futile. *Runnion ex rel. Runnion v. Girl Scouts of Greater Chicago & Nw. Indiana*, 786 F.3d 510, 518 (7th Cir. 2015) (noting that, following dismissal for failure to state a claim, plaintiffs are "presumpt[ively]" entitled to "at least one opportunity to amend" in order to "try to correct the deficiencies the district court . . . identified") (citing *Luevano v. Wal-Mart Stores, Inc.*, 722 F.3d 1014, 1024-25 (7th Cir. 2013)); *see also Runnion*, 786 F.3d at 520.

Plaintiff timely filed an amended complaint in which he reasserted the Establishment Clause claim, alleging as follows. On September 9, 2022, while detained in Cook County Jail, plaintiff was required to make a court appearance from a remote terminal set up in a chapel. He alleges that he was within "30-40 feet" of a "Christian altar," and "religious symbols" and "iconography" were "promin[e]ntly displayed." (Am. Compl. ¶¶ 4, 9 ECF No. 8.) He admits that the court hearing was "brief." (*Id.* ¶ 10.)

I. Legal Standards

Because plaintiff is proceeding IFP, the Court screens his complaint to determine whether

this action is "frivolous or malicious" or "fails to state a claim on which relief may be granted." *See* 28 U.S.C. § 1915(e)(2)(B)(i), (ii). In performing this screening, the Court construes plaintiff's *pro se* complaint liberally and holds it to a less exacting standard than it would a formal pleading drafted by an attorney. *See Luevano*, 722 F.3d at 1027-28 (citing *Arnett v. Webster*, 658 F.3d 742, 751 (7th Cir. 2011)). Like any other litigant, plaintiff is required to submit a complaint that includes "a short and plain statement of the claim showing that [he] is entitled to relief." Fed. R. Civ. P. 8(a)(2). The short and plain statement must "give the defendant fair notice of what the claim is and the grounds upon which it rests." *Bell Atl. Corp. v. Twombly,* 550 U.S. 544, 555 (2007) (cleaned up). The statement also must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face," which means that the pleaded facts must show there is "more than a sheer possibility that a defendant has acted unlawfully." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Courts also must "accept all well-pleaded facts as true and draw reasonable inferences in the plaintiffs' favor." *Roberts v. City of Chicago*, 817 F.3d 561, 564 (7th Cir. 2016).

42 U.S.C. § 1983 provides a provide right of action against any "person" who, under color of state law, "subjects, or causes to be subjected, any citizen of the United States . . . to the deprivation of any rights, privileges, or immunities secured by the Constitution." The First Amendment states that "Congress shall make no law respecting an establishment of religion." The prohibition on "respecting an establishment of religion" also applies to state and local governments by incorporation into the Fourteenth Amendment. *See Cantwell v. State of Connecticut,* 310 U.S. 296, 303 (1940). How to identify government action that violates this prohibition is unsettled, as the Supreme Court has formulated several tests over the years, then criticized or abandoned them, leaving a murky standard of interpreting the Establishment Clause "by reference to historical practices and understandings." *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 536 (2022) (internal quotation marks omitted). It is clear that government "coercion" of religious practice is forbidden, but the justices have not agreed on "what exactly qualifies as impermissible coercion," or on how far the prohibition extends beyond "formal religious exercise." *Id.* at 537 (internal quotation marks omitted). The Court has, however, identified certain "hallmarks" of established religion. *Id.*; *see id.* at 537 n.5 (citing *Shurtleff v. City of Bos., Mass.*, 596 U.S. 243, 285-86 (2022) (Gorsuch, J., concurring) (describing several "hallmarks" or "telling traits" of "religious establishments"). These include the following:

> First, the government exerted control over the doctrine and personnel of the established church. Second, the government mandated attendance in the established church and punished people for failing to participate. Third, the government punished dissenting churches and individuals for their religious exercise. Fourth, the government restricted political participation by dissenters. Fifth, the government provided financial support for the established church, often in a way that preferred the established denomination over other churches. And sixth, the government used the established church to carry out certain civil functions, often by giving the established church a monopoly over a specific function.

Shurtleff, 596 U.S. at 286 (Gorsuch, J., concurring). "At least four of these contain a strong element of compulsion, corroborating the primacy of coercion in the Court's analysis." *Hilsenrath on behalf of C.H. v. Sch. Dist. of the Chathams*, 698 F. Supp. 3d 752, 762 (D.N.J. 2023); *see Williams*

v. Bd. of Educ. of City of Chicago, 673 F. Supp. 3d 910, 921 (N.D. Ill. 2023) ("*Kennedy*'s extensive discussion of coercion indicates that this test is still good law."). Courts must examine challenged practices through the prism of the above principles and historical "hallmarks" to determine whether they "'accord with history and faithfully reflect the understanding of the Founding Fathers.'" *Williams*, 673 F. Supp. 3d at 921 (quoting *Kennedy*, 597 U.S. at 536) (cleaned up).

II. Discussion

In its prior screening order, the Court recognized that it is possible for the use of religious facilities for government functions to violate the Establishment Clause. The Court cited *Doe ex rel. Doe v. Elmbrook School District*, 687 F.3d 840, 852-53, 855-56 (7th Cir. 2012) in which the Seventh Circuit found that it violated the Establishment Clause to hold a public-school graduation ceremony in a church, where there was an element of "proselytization" and a "captive audience," as church adherents handed out religious literature to attendees of the ceremony. But it does not follow that the use of a religious facility or religious symbols in a public function *always* violates the Establishment Clause. As the Court also recognized, it has also been found that the use of a chapel for a public-school function, without any of the aggravating circumstances in *Elmbrook*, does not violate the Establishment Clause. *See Smith v. Jefferson Cty. Bd. of Sch. Comm'rs*, 788 F.3d 580, 592-93 (6th Cir. 2015); *see also Freedom From Religion Found., Inc. v. Concord Cmty. Sch.*, 885 F.3d 1038, 1049 (7th Cir. 2018) (religious elements of holiday program in school auditorium, including a live nativity scene, did not violate Establishment Clause under coercion test where the program included no "religious activity" such as prayer or "pass[ing] out religious literature"). Similarly, courts have concluded that it does not violate the Establishment Clause to use a religious facility as a polling place, where there is no basis for concluding that the practice shows any favoritism toward religion (though these cases were decided before the Supreme Court made clear in *Kennedy* the "primacy of coercion"). *See Otero v. State Election Bd. of Oklahoma*, 975 F.2d 738, 740 (10th Cir. 1992), *Rabinowitz v. Anderson*, No. 06-81117 CIV, 2007 WL 9701794, at *4 (S.D. Fla. July 31, 2007).

Of course, the mere existence of a chapel at the jail does not trouble the Establishment Clause. It is common to provide chapels in public buildings, including the halls of legislative bodies, *see Van Zandt v. Thompson*, 839 F.2d 1215, 1221 (7th Cir. 1988) (citing *Lynch v. Donnelly*, 465 U.S. 668, 677 (1984) ("Congress has long provided chapels in the Capitol for religious worship and meditation.")), as well as prisons. Indeed, the *absence* of a chapel in Cook County Jail would be more likely to cause First Amendment problems than its presence, as inmates retain their First Amendment right to "free exercise of religion." *O'Lone v. Est. of Shabazz*, 482 U.S. 342, 348 (1987) (citing *Cruz v. Beto*, 405 U.S. 319, 322 (1972)).

Based on the above principles and decisional law, the key question here appears to be whether plaintiff's one-time remote court appearance from the Jail chapel coerced him into any religious activity or was otherwise inconsistent with historical practices and understandings of the prohibition on religious establishments. Plaintiff's amended complaint—which is admirably clear and succinct—includes no allegations that might support any such conclusion or inference. He does not mention any prayer taking place during the proceeding or any other sort of religious practice or proselytizing activity. He mentions that there were religious symbols in the chapel, and

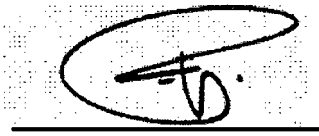
the Court may have given these a harder look during the heyday of the endorsement test, *see Lynch*, 465 U.S. at 692 (O'Connor, J., concurring), but the Supreme Court has taken the law in a different direction, signaling that the Court should focus on certain hallmarks of establishment, which may involve coercion, but not necessarily mere exposure to religious iconography. The Court is unable to identify anything coercive in a single remote court appearance from a jail chapel, *see Freedom*, 885 F.3d at 1049, and there is certainly nothing in it that much resembles the hallmarks of religious establishments the Supreme Court has instructed courts to consider. *See generally* Michael W. McConnell, *Establishment and Disestablishment at the Founding, Part I: Establishment of Religion*, 44 Wm. & Mary L. Rev. 2105, 2176 (2003) (describing characteristics of religious establishments known to the Founders) *cited in Kennedy*, 597 U.S. at 537 n.5. Forcing criminal defendants to attend court in a chapel might demand greater scrutiny outside the custodial context, but courts recognize that "lawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a retraction justified by the considerations underlying our penal system" and "the fact of incarceration," which poses difficult logistical problems. *Shabazz*, 482 U.S. at 348 (cleaned up). Jail administrators are entitled to "great flexibility" in "balanc[ing] the penological interests of the institution with the constitutional rights of the inmates." *Del Raine v. Williford*, 32 F.3d 1024, 1040 (7th Cir. 1994). Although there is no evidence here of the necessity of conducting the remote court appearance from the chapel, the constitutional intrusion, analyzed via the above framework, is so slight that it is implausible—indeed, practically inconceivable—that prison administrators exceeded the bounds of the flexibility to which they are entitled.

On top of all this, there is a separate, procedural problem with plaintiff's claim. As the Court explained in its prior screening order, 42 U.S.C. § 1983 provides citizens with a vehicle for asserting violations of their constitutional rights against state and local government officials, but claims against a particular official must arise out of his own personal wrongdoing. The Supreme Court has interpreted § 1983 to "bar *respondeat superior* liability," or liability against a supervising officer for the acts of his subordinates based only on his higher position in the organizational hierarchy. *Daniel v. Cook County*, 833 F.3d 728, 733 (7th Cir. 2016) (citing *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658, 694-95, 707 (1978)). Plaintiff can assert a § 1983 claim against a local government "official with policy-making authority," if he alleges that an act of that policy-making official was the "moving force behind his constitutional injury." *Daniel*, 833 F.3d at 734. The defendant here, Sheriff Dart, has "final policymaking authority over jail operations." *See Maldonado v. Garcia*, No. 13 C 8981, 2015 WL 4483975, at *4 (N.D. Ill. July 22, 2015). Additionally, plaintiff can prevail against Sheriff Dart in his official capacity by alleging that he suffered a constitutional violation caused by an "official policy" or "widespread custom." *Daniel*, 833 F.3d at 734. But, even if the Court assumes (counterfactually) that plaintiff has alleged facts sufficient to state a plausible claim of an Establishment Clause violation, he has not described any circumstances in which Sheriff Dart could plausibly be liable for it through an act he took as a final policymaker or due to an official custom or widespread practice. Plaintiff alleges only a single incident that allegedly violated his Establishment Clause rights, without alleging that Sheriff Dart was personally involved. The Court fails to see how a reasonable factfinder could infer that this single incident resulted from an official policy, widespread custom, or the act of a final policymaker. *See Thomas v. Cook Cty. Sheriff's Dep't*, 604 F.3d 293, 303 (7th Cir. 2010) ("[T]here is no clear consensus as to how frequently [unconstitutional] conduct must occur to impose *Monell* liability, except that it must be more than one instance, or even three.") (internal quotation marks

and citations omitted); *see also Pindak v. Dart*, 125 F. Supp. 3d 720, 761-62 (N.D. Ill. 2015) (citing *Hahn v. Walsh*, 762 F.3d 617, 637 (7th Cir. 2014)). This remote court appearance from the chapel could have been a one-time "random event," for all the Court can tell. *See Thomas*, 604 F.3d at 303.

For all these reasons, the Court concludes that plaintiff fails to state a claim. In its initial screening order, the Court explained that plaintiff's initial complaint did not describe circumstances serious enough to rise to the level of an Establishment Clause violation or pervasive enough to rise to the level of an official policy, widespread practice, or act of an official policymaker. The same is true of plaintiff's amended complaint, in which plaintiff makes essentially the same deficient allegations. The Court takes this to mean that he is unable to marshal sufficient facts to support his claim. Because it appears that plaintiff has put forth his best case as to how his rights were allegedly violated, and any further amendment would be futile, the dismissal is without leave to amend. *See Ruel v. First Ill. Bancorp, Inc.*, No. 22-CV-228, 2023 WL 279737, at *3 (S.D. Ill. Jan. 18, 2023) (citing *Zimmerman v. Bornick*, 25 F.4th 491, 494 (7th Cir. 2022)); *see also Stanard v. Nygren*, 658 F.3d 792, 796-97 (7th Cir. 2011). This case is closed.

SO ORDERED. **ENTERED: September 26, 2024**



HON. JORGE ALONSO
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

William Graham Robertson IV

(Enter above the full name of the plaintiff or plaintiffs in this action)

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

Tom Dart Cook County Sheriff

(Enter above the full name of ALL defendants in this action. Do not use "et al.")

CHECK ONE ONLY: **AMENDED COMPLAINT**

✓ **COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983 U.S. Code** (state, county, or municipal defendants)

_____ **COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE 28 SECTION 1331 U.S. Code** (federal defendants)

_____ **OTHER** (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

A. Name: William G. Roberson III

B. List all aliases: GRAHAM

C. Prisoner identification number: I DONT HAVE A PRISONER ID NUMBER

D. Place of present confinement: I AM NOT A PRISONER IN ANY DEPT OF CORRECTIONS

E. Address: 6124 N WINTHROP AVE CHICAGO IL 60660-2604

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

A. Defendant: TOM DART

Title: COOK COUNTY SHERIFF

Place of Employment: COOK COUNTY

B. Defendant: _____

Title: _____

Place of Employment: _____

C. Defendant: _____

Title: _____

Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: ROBERSON V OAK PARK + COMED

B. Approximate date of filing lawsuit: 1999

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: SHIELA MACISE WILLIAM G. ROBERSON III MARY ROBERSON WILLIAM ROBERSON CLAY GRACE ROBERSON, ROBERT MACISE

D. List all defendants: COMED OAK PARK

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): UNKNOWN DISTRICT

F. Name of judge to whom case was assigned: UNKNOWN

G. Basic claim made: BURIED TANKS AT BARRIE PARK CONTAMINATED WILLIAM + MARY ROBERSON'S HOME WRONGFUL DEATH

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): MARY ROBERSON SETTLED OR WAS AWARDED SUM FOR TOXIC CONTAMINATION

I. Approximate date of disposition: JULY 4TH 2023

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: Robertson v Moran

B. Approximate date of filing lawsuit: MAY 2003

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: William G Robertson II

D. List all defendants: OFFICER MORAN OAK PARK POLICE #385

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): ~~STATE~~ 4TH DISTRICT

F. Name of judge to whom case was assigned: UNKNOWN

G. Basic claim made: DEFAMATION AFTER TELLING EMPLOYER I WAS IRATE

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): DISMISSED FOR WANT OF PROSECUTION VACATED MEDIATION FAILED

I. Approximate date of disposition: JANUARY 2004

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: Roberson V SPAIN

B. Approximate date of filing lawsuit: JULY 2004

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: William Roberson II

D. List all defendants: SPAIN, COOK COUNTY, CHICAGO OTHER OFFICER

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): 1ST DISTRICT

F. Name of judge to whom case was assigned: UNKNOWN

G. Basic claim made: FALSE ARREST FALSE IMPRISONMENT I WAS PLACED INTO MODIFIED POLICE CAR I WAS HELD IN JAIL ON AN IBOND RECOGNIZANCE BOND

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): SETTLED OUT OF COURT THROUGH ARBITRATION

I. Approximate date of disposition: 2008

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: Roberson V UBER EATS

B. Approximate date of filing lawsuit: MARCH 2016

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: ~~[illegible]~~ William Roberson IV

D. List all defendants: UBER EATS

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): 1ST DISTRICT

F. Name of judge to whom case was assigned: [illegible]

G. Basic claim made: Food Contamination [illegible] FOOD SERVICE ORDINANCE BY STORING READY TO EAT FOOD ON [illegible] [illegible]

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): SETTLED OUT OF COURT AFTER SHORT [illegible]

I. Approximate date of disposition: MARCH 2016

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: Robertson v Pitts

B. Approximate date of filing lawsuit: DECEMBER 2020

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: ~~Jeffrey~~ William Robertson

D. List all defendants: JB Pritzker

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NORTHERN DISTRICT ILLINOIS

F. Name of judge to whom case was assigned: UNKNOWN

G. Basic claim made: VIOLATION OF CIVIL RIGHTS FOR NOT EXTENDING STAY AT HOME ORDER ALTERATIVE NOTICE

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): CASE DISMISSED PLAINTIFF APPEALED PETITION CASE COURT TO PETITION FOR STAY OF RIGHTS

I. Approximate date of disposition: JANUARY

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

NAME OF CASE: [illegible] DOWN CHICAGO POLICE OFFICER

DATE OF FI[illegible] AUGUST 2012

PLAINTIFF [illegible] RSON

T[illegible] ENDANT. UNKNOWN C[illegible] OLICE OFFICER

COURT 1ST [illegible]

JUDGE UNKNOWN

C[illegible] RRASMENT INTIMIDATION
VIOLATION OF
V[illegible]CT OF VIOLENT CRIME ACT

T[illegible] DISMISSED FOR WANT
OF [illegible] CUTION

DATE [illegible] KNOWN

POSITION

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

INTRODUCTION: THIS COURT GRANTED LEAVE TO FILE AN AMENDED COMPLAINT UNTIL MAY 10, 2024.

AMENDED COMPLAINT:

FACTUAL BACKGROUND:

1. ON 7/19/2022, I WAS TAKEN TO A COURT HEARING INSIDE A CHAPEL AT COOK COUNTY JAIL BY A FS' DUTY. HOWEVER, ON T : , I WAS TAKEN TO A COURT HEA. INSIDE A GYMNASIUM AT COOK AIL BY THE SHERIFF'S D T D EPANCY IN VENUES UNDESCRI THE INCONSISTANT AND ARBITR NATURE OF THE LOCATIONS SEN FOR COURT PROCEED.

2. THIS CHAPEL, TRADITIONALLY RESERVED FOR RELIGIOUS WORSHIP, WAS UTILIZED FOR LEGAL PROCEEDINGS, RAISING PROFOUND CONCERNS REGARDING THE PRINCIPLE OF SEPERATION OF CHURCH AND STATE.

3. DESPITE THE PRESIDING JUDGE OVERSEEING THE COURTROOM PROCEEDINGS BEING PHYSICALLY LOCATED IN A COURTROOM AT THE 4TH DISTRICT COURTHOUSE, I WAS COMPELLED TO PARTICIPATE IN COURT PROCEEDINGS FROM WITHIN THE CHAPEL'S RELIGEOUS ENVIRONMENT.

4. THIS EXPOSURE TO A PERVASIVE RELIGEOUS ATMOSPHERE AND CHRISTIAN ALTAR WITHIN 30-40 FEET FROM WHERE I WAS REQUIRED TO BE DURING THE LEGAL PROCEEDINGS, UNDERMINES THE FAIRNESS AND IMPARTIALITY OF THE JUDICIAL PROCESS, VIOLATING MY CONSTITUTIONAL RIGHTS.

5. THE DEFENDANT KNEW OR SHOULD HAVE KNOWN THAT A VENUE SUCH AS A CHAPEL MIGHT NOT BE SUITABLE FOR LEGAL PROCEEDING DUE TO IT'S PRIMARY FUNCTION AS A PLACE OF WORSHIP CAUSING REAL CONCERNS REGARDING THE FIRST AMENDMENT SEPARATION OF CHURCH AND STATE AND THE ESTABLISHMENT CLAUSE OF THE CONSTITUTION OF THE UNITED STATES

6. AT ALL TIMES, THE DEFENDANT WAS WORKING UNDER COLOR OF LAW

ALLEGATIONS:

7. COMPELLED PARTICIPATION IN RELIGIOUS ENVIRONMENT:

THE DEFENDANTS' DECISION TO HOLD COURT HEARINGS INSIDE A CHAPEL AT COOK COUNTY JAIL COERCED ME INTO PARTICIPATING IN LEGAL PROCEEDINGS WITHIN A RELIGIOUSLY CHARGED ENVIRONMENT, THEREBY VIOLATING THE PRINCIPLE OF SEPARATION OF CHURCH AND STATE.

8. GOVERNMENT ENDORSEMENT OF RELIGION:

BY REPURPOSING A CHAPEL TRADITIONALLY RESERVED FOR RELIGIOUS WORSHIP AS A VENUE FOR COURT HEARINGS, THE DEFENDANT HAS EFFECTIVELY ENDORSED RELIGION WITHIN A GOVERNMENT INSTITUTION, CONTRAVENING THE ESTABLISHMENT CLAUSE AND UNDERMINING THE PRINCIPAL OF GOVERNMENT NEUTRALITY IN RELIGIOUS MATTERS

9. IMPOSITION OF RELIGIOUS ATMOSPHERE IN A LEGAL PROCEEDING:

SUBJECTING ME TO LEGAL PROCEEDINGS WITHIN A CHAPEL, WHERE RELIGIOUS SYMBOLS, ICONOGRAPHY, AND A CHRISTIAN ALTAR ARE PROMINENTLY DISPLAYED CREATES A COERCIVE AND INTIMIDATING ATMOSPHERE THAT INTERFERES WITH FAIR ADMINISTRATION OF JUSTICE. SUCH IMPOSITION OF A RELIGIOUS ATMOSPHERE IN LEGAL PROCEEDINGS CONSTITUTES A BREACH OF THE SEPARATION BETWEEN CHURCH AND STATE AND UNDERMINES THE INTEGRITY OF THE JUDICIAL PROCESS

10. VIOLATION OF ESTABLISHMENT CLAUSE:

THE DEFENDANTS' DECISION TO REPURPOSE A CHAPEL AS A VENUE FOR BRIEF COURT HEARINGS CONSTITUTES A FLAGRANT VIOLATION OF THE PRINCIPLE OF SEPARATION OF CHURCH AND STATE ENSHRINED IN THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION. THE ACTION COERCED ME INTO PARTICIPATING IN LEGAL PROCEEDINGS WITHIN A RELIGIOUSLY CHARGED ENVIRONMENT, THUS UNDERMINING THE FOUNDATIONAL PRINCIPLE OF NEUTRALITY AND IMPARTIALITY IN MATTERS OF FAITH.

11. VIOLATION OF 42 U.S.C. 1983:

THE ACTIONS OF THE DEFENDANT, IN COMPELLING PARTICIPATION IN COURT PROCEEDINGS WITHIN A RELIGIOUS VENUE, CONSTITUTE A VIOLATION OF RIGHTS PROTECTED UNDER 42 U.S.C. 1983. BY SUBJECTING ME TO LEGAL PROCEEDINGS CONDUCTED IN A RELIGIOUS ENVIRONMENT, THE DEFENDANT DENIED ME OF MY CONSTITUTIONAL RIGHTS, INCLUDING THE RIGHT TO FREEDOM FROM STATE-IMPOSED RELIGIOUS COERCION

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

12, IMPERTANCE OF TRIAL

A COURT TRIAL, PERTICULARLY WHEN A PERSON'S FREEDOM IS AT STAKE, REPRESENTS AN EVENT OF MONUMENTAL LIFE IMPORTANCE AND HAS SIGNIFICANT IMPACT THAT WILL LAST WELL INTO THE FUTURE. THE ENVIRONMENT IN WHICH SUCH PROCEEDINGS TAKE PLACE MUST UPHOLD THE HIGHEST STANDARDS OF FAIRNESS, IMPARTIALITY, AND RESPECT FOR INDIVIDUAL RIGHTS. THE USE OF A RELIGIOUSLY CHARGED VENUE FOR COURT HEARINGS UNDERMINES THESE PRINCIPLES AND THREATENS THE INTEGRITY OF THE JUDICIAL PROCESS

13 PRAYER FOR RELIEF

A. I RESPECTFULLY REQUEST THE FOLLOWING RELIEF FROM THE COURT:

B. MONETARY DAMAGES COMMENSURATE WITH THE HARM SUFFERED.

C. AN INJUNCTION PROHIBITING THE USE OF RELIGIOUSLY CHARGED ENVIRONMENTS FOR COURT HEARINGS

D. REIMBURSEMENT OF ATTORNEY FEES AND COSTS INCURRED IN PURSUING THIS ACTION

E. ANY OTHER RELIEF THE COURT DEEMS JUST AND PROPER

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

CONCLUSION

THE DEFENDANTS' ACTIONS REPRESENT A GROSS VIOLATION OF THE PRINCIPLE OF SEPARATION OF CHURCH AND STATE, CONSTITUTING AN EGREGIOUS INFRINGEMENT UPON MY CONTITUTIONAL RIGHTS. I WILL CONTINUE ASSERTING MY RIGHTS AND PURSUE JUSTICE. I SEEK JUSTICE AND REDRESS FOR THESE VIOLATIONS, ALONG WITH MEASURES TO PREVENT SIMILAR OCCURRENCE IN THE FUTURE.

RESPECTFULLY SUBMITTED

William E. Baker IV

DATE MAY 8 2024

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

MONETARY DAMAGES COMMENSURATE WITH THE HARM SUFFERED

AN INJUNCTION PROHIBITING THE USE OF THE CHAPIE FOR LEGAL PROCEEDINGS

REIMBURSEMENT OF ATTORNEY FEES TO PURSUE THIS ACTION

ANY OTHER RELIEF THE COURT DEEMS JUST AND PROPER

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 8TH day of MAY, 2024

William G. Roberson IV

(Signature of plaintiff or plaintiffs)

William G. Roberson II

(Print name)

R162-9270-4314

(I.D. Number)

6124 N WINTHROP AVE #411

CHICAGO IL 60660-2604

(Address)

A-24

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIAM G. ROBERSON IV,	)	
	)	
Plaintiff,	)	
	)	**Case No. 24 C 2139**
v.	)	
	)	**Hon. Jorge L. Alonso**
COOK COUNTY STATE OF ILLINOIS	)	
CHIEF CIRCUIT JUDGE ILLINOIS	)	
DEPARTMENT OF CORRECTIONS,	)	
	)	
Defendants.	)	

ORDER

Plaintiff's application for leave to proceed *in forma pauperis* [4] is granted. Pursuant to the Court's initial screening, his complaint is dismissed for failure to state a claim. Plaintiff may file an amended complaint, within the parameters set forth herein, by May 10, 2024, if he can do so in compliance with the Federal Rules of Civil Procedure. Plaintiff is warned that, if he does not file an amended complaint by the May 10, 2024, deadline, this case may be dismissed for want of prosecution.

STATEMENT

Plaintiff Willaim G. Roberson IV brings this *pro se* civil rights action under 42 U.S.C. § 1983, asserting several claims arising out of his arrest, pretrial detention, and sentencing. Before the Court are Plaintiff's application for leave to proceed *in forma pauperis* and complaint for initial review. Because it appears from plaintiff's IFP application and complaint that he lacks substantial financial assets and is unable to pay the costs of suit without impinging on his ability to pay for "the necessities of life," *see Adkins v. E.I. Dupont de Nemours & Co.*, 335 U.S. 331, 339 (1948), the IFP application is granted. The Court must therefore, screen plaintiff's complaint under 28 U.S.C. § 1915(e)(2)(B)(i), (ii), *see also id.* § 1915A(a), (b)(1).

I. Legal Standards and Factual Background

Because plaintiff is proceeding IFP, the Court must perform an initial screening to determine whether this action is "frivolous or malicious" or "fails to state a claim on which relief may be granted." *See* 28 U.S.C. § 1915(e)(2)(B)(i), (ii); *see also id.* § 1915A(a), (b)(1). In performing this screening, the Court construes plaintiff's *pro se* complaint liberally and holds it to a less exacting standard than it would a formal pleading drafted by an attorney. *See Luevano v. Wal-Mart Stores, Inc.*, 722 F.3d 1014, 1027-28 (7th Cir. 2013) (citing *Arnett v. Webster*, 658 F.3d 742, 751 (7th Cir. 2011)). However, like any other litigant, plaintiff is required to submit a

complaint that includes a "a short and plain statement of the claim showing that [he] is entitled to relief." Fed. R. Civ. P. 8(a)(2). The short and plain statement must "give the defendant fair notice of what the claim is and the grounds upon which it rests." *Bell Atl. Corp. v. Twombly,* 550 U.S. 544, 555 (2007) (citation omitted). The statement also must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face," which means that the pleaded facts must show there is "more than a sheer possibility that a defendant has acted unlawfully." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). When screening a *pro se* plaintiff's complaint, courts construe the plaintiff's allegations liberally. *Erickson v. Pardus,* 551 U.S. 89, 94 (2007) (per curiam). Courts also must "accept all well-pleaded facts as true and draw reasonable inferences in the plaintiffs' favor." *Roberts v. City of Chicago*, 817 F.3d 561, 564 (7th Cir. 2016).

Plaintiff's *pro se* complaint narrates the underlying events not chronologically but in a jumble that is difficult to follow. As best the Court can understand it, the key allegations are the following. In 2022, plaintiff obtained a court order that, he believed, permitted him to access premises occupied by his sister to retrieve certain personal property, provided he was accompanied by a police escort. On September 3, 2022, plaintiff asked Oak Park police officers to execute the order, but they refused to do so. Their refusal, plaintiff believes, was due to the order's unclear terms and the dim light in the police station, which contributed to the officers misreading the order. Having been refused police assistance, plaintiff went to the premises to remove the property on his own, without authorized access. He had already put some of the property in his car when police arrived. They arrested plaintiff at the scene.

On September 9, 2022, while detained in Cook County Jail, plaintiff was required to make a court appearance from a remote terminal set up in a chapel at the jail. The religious iconography in the chapel was not obscured during the remote court proceedings. After the conclusion of plaintiff's court appearance, as plaintiff was exiting the chapel, he tripped over a pew and injured his foot.

On September 19, 2022, plaintiff "agree[d] to a plea bargain to stay away from [his] sister for 365 days," and he was ordered to wear a GPS tracking device with supervision, as well as to undergo a psychological examination and anger management counseling. (Compl. ¶¶ 166-167.) He claims that he was not given credit at sentencing for the sixteen days he had served in pretrial detention.

After his release from Cook County Jail, on September 20, 2022, plaintiff went to the Oak Park police station again, seeking execution of the court order so that he could retrieve his property from his sister's premises. He was told by a police officer that the order was invalid because it did not state a time and date for execution.

Plaintiff asks the Court to correct the court order so that he can retrieve his property and to award compensation for the inaccurate sentencing credit and Cook County's negligence in maintaining a safe premises for court appearances while in pretrial detention. Additionally, he claims that being forced to make a remote court appearance from a chapel violated his rights under the establishment clause of the First Amendment.

II. Discussion

Based on the above-summarized allegations, the Court understands plaintiff to be attempting to assert essentially four claims: (1) his right to be free from the establishment of religion was violated by the remote court appearance from a Cook County Jail chapel; (2) he suffered injury to his foot due to negligently maintained premises when he exited the chapel; (3) he did not receive all the sentencing credit for pretrial detention to which he was entitled; and (4) the order permitting him to retrieve his personal property from his sister's home was deficient.

There are a number of problems with these claims as pleaded. Most fundamentally, they appear not to have been brought against a proper defendant. In the space for the name of the defendant or defendants in the caption of his form complaint, plaintiff has written, "Cook County State of Illinois Chief Circuit Judge Illinois Department of Corrections," without punctuation. As written, this could refer to as many as four defendants or as few as two, and the body of the complaint does not shed additional light on whom plaintiff intends to sue. "42 U.S.C. § 1983 establishes a remedial scheme focused primarily on the responsibilities of individual government employees and agents," and the Supreme Court has interpreted the statute to "bar *respondeat superior* liability." *Daniel v. Cook County*, 833 F.3d 728, 733 (7th Cir. 2016) (citing *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658, 694-95, 707 (1978)). To hold a municipality like Cook County liable for a civil rights violation under § 1983, plaintiff must demonstrate that an "official policy, widespread custom, or action by an official with policy-making authority was the moving force behind his constitutional injury." *Daniel*, 833 F.3d at 734. Plaintiff does not name any official who caused his injuries, nor does he plausibly allege that the violations he suffered were due to any official policy or widespread custom. For all the Court can tell, these were isolated instances of which no official with policy-making authority knew, which does not suffice for liability under *Monell*.

There are other problems with plaintiff's claims, three of which are complete nonstarters for separate reasons. The claims regarding credit for pretrial detention at sentencing and the court order regarding plaintiff's property are not viable, regardless of whether plaintiff could name the judge who issued these orders, because judges have absolute immunity from liability under § 1983. *See Brokaw v. Mercer Cty.*, 235 F.3d 1000, 1015 (7th Cir. 2000) ("[J]udges are not liable in civil actions for their judicial acts unless they have acted in the clear absence of jurisdiction.").[1] Similarly, Cook County is absolutely immune from the claim of negligence in maintenance of safe premises for remote court proceedings at the Cook County Jail under the Illinois Local Government and Government Employee Tort Immunity Act, 745 ILCS 10/4-103; *see Love v. Dart*, No. 19 C 2762, 2022 WL 797051, at *7 (N.D. Ill. Mar. 16, 2022).

[1] These claims may also be barred under the general "equity, comity, and federalism principles underlying [federal] abstention doctrines," especially the *Younger* doctrine. *J.B. v. Woodard*, 997 F.3d 714, 723 (7th Cir. 2021); *see SKS & Assocs., Inc. v. Dart*, 619 F.3d 674, 677 (7th Cir. 2010) (explaining that federal courts may not rely on § 1983 to "impose federal supervision on state court proceedings" because "federal courts must defer to the state's sovereignty over the management of its courts").

Regarding the establishment clause claim, there have been cases in which courts have found local government entities to have violated the establishment clause by using religious facilities for government functions without removing or covering religious iconography. *See, e.g.*, *Doe ex rel. Doe v. Elmbrook Sch. Dist.*, 687 F.3d 840, 852-53, 855-56 (7th Cir. 2012). But the Court is aware of no case in which a court found an establishment clause violation under circumstances similar to those here, which concern making a brief remote court appearance from a jail chapel, apparently without any element of "proselytization" or event of "monumental life importance." *See Smith v. Jefferson Cty. Bd. of Sch. Comm'rs*, 788 F.3d 580, 592 (6th Cir. 2015) (distinguishing, on these bases, *Elmbrook School District*, in which a public school district held graduation ceremonies and related events at a Christian church, at which adherents handed out religious literature to attendees); *see also ACLU of Kentucky v. Rowan Cnty., Ky.*, 513 F. Supp. 2d 889, 903 (E.D. Ky. 2007) (reasoning that a copy of the Ten Commandments hung with other items in an obscure spot—not a "high-traffic" area—within a courthouse was unlikely to communicate any message of endorsement of religion, did not reflect an obvious religious purpose, and did not violate the establishment clause). The Court is hard-pressed to find anything in plaintiff's complaint so serious as to rise to the level of an establishment clause violation, even if plaintiff could demonstrate that his court appearance was the result of an official policy, widespread practice, or the act of an official policy-maker, which he must do unless he names an individual defendant.

For the foregoing reasons, plaintiff's complaint is dismissed. As the Court has explained, principles of absolute judicial immunity prevent him from challenging any decision of any judge via this civil action under § 1983, so his claims concerning his sentencing credit for pretrial detention and the court order providing for the retrieval of his personal property from his sister's home are dismissed with prejudice, which means plaintiff may not reassert them in an amended complaint. Similarly, to the extent he purports to assert a claim of negligence under state law against Cook County or officials charged with supervising the operation of Cook County Jail for maintaining unsafe premises, the claim is dismissed with prejudice. He has leave to file an amended complaint asserting his establishment clause claim—and only his establishment clause claim—if he can do so in accord with the Federal Rules of Civil Procedure and the governing case law interpreting the establishment clause and 42 U.S.C. § 1983, by May 10, 2024. Failure to meet that deadline may result in dismissal and termination of this case for want of prosecution.

SO ORDERED. **ENTERED: April 22, 2024**

HON. JORGE ALONSO
United States District Judge

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