NONPRECEDENTIAL DISPOSITION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 April 10, 2019*
Decided April 11, 2019

Before

AMY C. BARRETT, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

No. 18-2917

ADMASSU REGASSA,
Plaintiff-Appellant,

v.

EMILY CIMINO, et al.,
Defendants-Appellees.

Appeal from the United States District Court for the Southern District of Illinois.

No. 17-cv-999-JPG

J. Phil Gilbert,
Judge.

O R D E R

Admassu Regassa, formerly a federal prisoner in Illinois, sued prison officials under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), raising unrelated allegations about due process, access to the courts, and cruel and unusual punishment. After giving Regassa three chances to submit a legally adequate complaint, the district court dismissed his operative complaint at screening,

* The defendants were not served with process in the district court and are not participating in this appeal. We have agreed to decide this 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).

see 28 U.S.C. § 1915A. Because Regassa's factual allegations do not state a valid claim, we affirm.

The procedural history is straightforward. The district court dismissed the first complaint because Regassa improperly joined 116 defendants in an 87-page complaint that was not a "short and plain claim for relief," as required under Federal Rule of Civil Procedure 8. After giving Regassa a chance to amend, the court dismissed Regassa's next attempt—a 94-page amended complaint against 88 defendants. Echoing our concerns in *George v. Smith*, 507 F.3d 605 (7th Cir. 2007) (forbidding plaintiffs from joining unrelated claims against different defendants in one suit), the court dismissed this "kitchen sink" complaint that included "largely unrelated claims." Finally, Regassa filed his operative complaint. Running 52 pages, it alleges that 61 defendants from the United States Penitentiary in Marion, Illinois, conspired against him in three ways. First, some defendants violated his right to due process by prohibiting him from calling a witness at a disciplinary hearing, by subjecting him to email, phone, and segregation restrictions based on false incident reports, and by denying his grievances. Second, some defendants allegedly denied him access to the courts by refusing to send his legal mail and give him a medical evaluation. Third, other defendants violated the Eighth Amendment by calling him a "pervert" and gossiping about him. The court dismissed this complaint, ruling that it did not state a claim upon which relief could be granted.

On appeal, Regassa first contends that the court "totally ignored" his claim that the defendants conspired to deny him due process at a disciplinary hearing by not letting him call a witness. An "inmate facing disciplinary proceedings should be allowed to call all witnesses … when permitting him to do so will not be unduly hazardous to institutional safety or correctional goals." *Wolff v. McDonnell*, 418 U.S. 539, 566 (1974). But the witness must be material. *See Piggie v. Cotton*, 342 F.3d 660, 666 (7th Cir. 2003). Regassa's claim fails because, despite receiving multiple chances from the district court, he does not allege materiality: he has not said what this unidentified witness's testimony would have been, nor how it would have helped him. *See id*. at 678. And he has not alleged *any* procedural shortcoming in the hearings that led to his email, phone, and segregation restrictions. *See Wilkinson v. Austin*, 545 U.S. 209, 224–25 (2005); *Lagerstrom v. Kingston*, 463 F.3d 621, 624–25 (7th Cir. 2006). Regassa also argues that prison officials denied him due process by rejecting his grievances. But he alleges that they *reviewed* his grievances, which was their job, not a constitutional violation. *See Owens v. Hinsley*, 635 F.3d 950, 953 (7th Cir. 2011); *Burks v. Raemisch*, 555 F.3d 592, 595 (7th Cir. 2009). Because Regassa's conspiracy claims were based on allegations that

do not state any violation of due process, these claims were correctly dismissed. *See Archer v. Chisholm*, 870 F.3d 603, 620 (7th Cir. 2017).

The district court also rightly dismissed the remaining claims. Regassa maintains that prison officials denied him access to the courts by interfering with his legal mail and his receipt of a medical evaluation. But the court properly dismissed this claim because he has not alleged, as he must, that he lost the opportunity to pursue a valid legal claim in court as a result of this interference. *See Lewis v. Casey*, 518 U.S. 343, 351 (1996); *Armstrong v. Daily*, 786 F.3d 529, 553 (7th Cir. 2015). Nor did the court err in dismissing Regassa's Eighth Amendment claim against officials who called him a "pervert" and gossiped about him. Such actions do not constitute cruel and unusual punishment. *See Dobbey v. Ill. Dep't of Corr.*, 574 F.3d 443, 446 (7th Cir. 2009).

AFFIRMED