NONPRECEDENTIAL DISPOSITION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 February 3, 2023*
Decided February 6, 2023

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 22-1025

WILLIAM R. SHAW,
Plaintiff-Appellant,

v.

ROBERT T. McQUEENEY,
Defendant-Appellee.

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

No. 20-C-483

William C. Griesbach,
Judge.

* We have agreed to decide this case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not aid the court. *See* FED. R. APP. P. 34(a)(2)(C).

O R D E R

William Shaw, a Wisconsin state prisoner, appeals from the district court's summary judgment against him in this suit asserting Fourteenth Amendment claims arising from his medical treatment as a pretrial detainee. We affirm.

While in custody at the Milwaukee County Jail as a pretrial detainee, Shaw had been receiving an antidepressant, three tablets of Effexor/Venlafaxine 75mg, every morning. Five months after being prescribed the antidepressant, prison psychiatrist Robert McQueeney—out of concern for Shaw's blood pressure and family medical history—changed Shaw's prescription to one tablet, three times daily.

Three months later, Shaw complained of chest pain and told a nurse that he had not received his morning's dose of medication. A nurse told him she would follow up with his mental-health providers. Shaw also did not receive his afternoon dose. Around 3:20 that afternoon, Shaw fell down some stairs and hurt his shoulder, neck, and back. He said that he felt dizzy, more so than earlier in the day. Soon thereafter, around 3:30, a nurse practitioner gave him his afternoon dose. He received his evening dose at 7:00 p.m. and his regularly scheduled doses thereafter.

Shaw sued McQueeney on a Fourteenth Amendment claim that the psychiatrist abruptly canceled his prescription, causing him to become dizzy and lightheaded, and then fall down the stairs. The district court granted McQueeney's motion for summary judgment, concluding that no reasonable jury could find that the psychiatrist had canceled Shaw's prescription. The court later denied Shaw's motion for reconsideration.

On appeal, Shaw argues that he offered enough evidence to survive summary judgment. He points to declarations from himself and two fellow prisoners, stating that each was a pretrial detainee who received psychiatric medications that were abruptly discontinued without notice by their psychiatrists.

We review medical-care claims brought by pretrial detainees under the Fourteenth Amendment, subject only to the objective unreasonableness inquiry identified in *Kingsley v. Hendrickson*, 576 U.S. 389 (2015). *Miranda v. Cnty. of Lake*, 900 F.3d 335, 352 (7th Cir. 2018); *see McCann v. Ogle Cnty.*, 909 F.3d 881, 887 (7th Cir. 2018). The record here would not allow a reasonable jury to conclude that McQueeney discontinued Shaw's medication or provided care to Shaw that in any way was unreasonable under the Fourteenth Amendment. As the district court explained, McQueeney denied that he canceled Shaw's prescription at the time in question, and

the medical records support this characterization. With regard to the prisoners' declarations, none of these mentions McQueeney or explains why the medications were abruptly discontinued. As such, the declarations are merely speculative, and speculation cannot preclude summary judgment. *See Weaver v. Champion Petfoods USA Inc.*, 3 F.4th 927, 934 (7th Cir. 2021); *see also* FED. R. CIV. P. 56(c)(4).

Shaw next challenges two of the district court's rulings denying his pretrial motions. First, he contests the court's decision not to hold in contempt two non-parties (the medical contractor WellPath and its regional medical director) after they did not respond to his subpoenas for medical records. The district court denied this motion because Shaw could have obtained these records—without subpoenaing these parties—simply by following the jail's procedures for obtaining medical records. Under these circumstances, the court's ruling was an appropriate exercise of discretion.

Second, Shaw argues that the court wrongly denied his request to extend the discovery deadline by four months, which he said he needed to review 3,000 pages of medical records from the Jail in order to ascertain that the discovery responses he received were "complete." The court, in denying the request, determined that Shaw had "more than enough" time to serve his discovery requests. Because the court's time limits were reasonable and Shaw already had been granted two prior extensions, there was no abuse of discretion. *See Kuttner v. Zaruba*, 819 F.3d 970, 974 (7th Cir. 2016).

Lastly, Shaw asserts that the district judge—"arbitrarily, secretly and without the knowledge of any of the parties"—improperly transferred venue and jurisdiction from the Milwaukee division to the Green Bay division. This charge is baseless. The Eastern District of Wisconsin is the judicial district where Shaw resides and where the events giving rise to the claim occurred, 28 U.S.C. § 1391(b), and cases from that district may be heard in either Milwaukee or Green Bay. From the litigation's outset, this suit had been heard in the Green Bay Division of the Eastern District, and Shaw has identified no reason why this was improper.

The district court warned Shaw about his cumulative and repetitive motions, and we repeat that warning. If Shaw persists in filing frivolous claims or appeals, he risks sanctions from this court. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185 (7th Cir. 1995).

AFFIRMED