

NONPRECEDENTIAL DISPOSITION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 9, 2025*

Decided October 10, 2025

BeforeDAVID F. HAMILTON, *Circuit Judge*DORIS L. PRYOR, *Circuit Judge*JOSHUA P. KOLAR, *Circuit Judge*

No. 24-3242

FRANCISCO RODRIGUEZ RUIZ, JR.,
*Plaintiff-Appellant,**v.*ROBERT WEINMAN,
*Defendant-Appellee.*Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 23-C-600

William C. Griesbach,
*Judge.***ORDER**

Francisco Rodriguez Ruiz, Jr., a Wisconsin prisoner, sued his prison's health services manager, Robert Weinman, alleging that Weinman failed to adequately address his pain and mobility limitations, in violation of his rights under the Eighth Amendment. *See* 42 U.S.C. § 1983. The district court denied Rodriguez Ruiz's motions to

* 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).

recruit counsel and to compel discovery and granted Weinman's motion for summary judgment. We affirm.

In November 2021, while incarcerated at Waupun Correctional Institution, Rodriguez Ruiz lost his balance and fell down a flight of stairs. This incident followed a traumatic brain injury that caused him to suffer intermittent loss of balance, blurred vision, and fainting. After his fall, Rodriguez Ruiz was taken to the hospital for x-rays, which showed no injury. Rodriguez Ruiz then submitted a health-services request complaining of hip and leg pain. Prison medical staff referred him for physical therapy and prescribed him pain medication and a cane. Weeks later, Rodriguez Ruiz's doctor discontinued his cane restriction. And months later, Rodriguez Ruiz was discharged from physical therapy after receiving the maximum number of authorized sessions.

During this time, Weinman neither treated Rodriguez Ruiz nor became involved in his care. As health services unit manager, Weinman provided administrative support to the prison's advanced care providers. Because Weinman's duties were chiefly managerial, he did not make diagnoses, prescribe treatment, or refer patients to specialists. Indeed, he had no authority to make such decisions and was not authorized to override the treatment decisions of providers.

In a second amended complaint, Rodriguez Ruiz sued two correctional officers, a nurse, and Weinman, alleging that they were deliberately indifferent to his health issues. As to Weinman, Rodriguez Ruiz alleged that he had canceled his cane order, physical therapy, and pain medication.

The district court screened Rodriguez Ruiz's complaint and dismissed one correctional officer because Rodriguez Ruiz had failed to state a claim against him. The district court later granted a motion for summary judgment filed by the other correctional officer and nurse because Rodriguez Ruiz had failed to exhaust his administrative remedies.

As the only defendant remaining, Weinman moved for summary judgment and filed a statement of proposed material facts. Rodriguez Ruiz responded with an "objection" and attached 600 pages of exhibits. After determining that Rodriguez Ruiz did not respond paragraph-by-paragraph to Weinman's statement of facts, *see* E.D. WIS. CIV. R. 56(b)(2)(B)(i), the district court accepted Weinman's proposed facts as true. Those facts provided that Weinman was neither involved in Rodriguez Ruiz's treatment, nor had reason to believe he was not being properly treated. The district

court then entered summary judgment, concluding that no reasonable jury could find that Weinman acted with deliberate indifference towards Rodriguez Ruiz.

During the litigation, Rodriguez Ruiz filed six motions to recruit counsel. *See* 28 U.S.C. § 1915(e)(1). The district court denied those motions, initially finding that Rodriguez Ruiz had not attempted to retain his own counsel, and later, determining that he appeared capable of representing himself through summary judgment given the clarity of his pleadings and experience as a litigant.

Rodriguez Ruiz also filed two motions to compel discovery. The first motion sought discovery from Weinman. But the district court denied the motion as premature because Rodriguez Ruiz filed it before the second amended complaint had been screened. Rodriguez Ruiz never renewed the motion. The second motion, which Rodriguez Ruiz filed after all defendants except Weinman had been dismissed from the case, sought video footage of the November 2021 fall. The district court denied the motion because Rodriguez Ruiz had neither explained how the requested video footage was relevant to his complaint against Weinman, nor complied with a local rule requiring him to certify that he had conferred with Weinman's counsel to resolve the matter. *See* E.D. Wis. Civ. R. 37.

Rodriguez Ruiz appeals, first challenging the district court's denials of his motions to recruit counsel, which we review for abuse of discretion. *Pruitt v. Mote*, 503 F.3d 647, 658 (7th Cir. 2007) (en banc). In deciding whether to recruit counsel, the district court must consider whether (1) the plaintiff made reasonable efforts to retain counsel or could not do so; and (2) "given the difficulty of the case," the plaintiff appeared "competent to litigate it himself." *Id.* at 654.

We see no abuse of discretion. For each motion, the district court applied the correct legal standard and reasonably concluded that counsel was not necessary. The court considered Rodriguez Ruiz's unsuccessful efforts to recruit counsel on his own, his medical challenges, and his transfer to a different institution. The court also considered his limited funds and general lack of legal knowledge. The court determined that Rodriguez Ruiz appeared capable of participating in discovery and responding to a summary judgment motion, and it pointed to his experience as a litigant and the relative clarity of his second amended complaint. Beyond a general assertion of error, Rodriguez Ruiz provides no specific reason to question these determinations. *See McCaa v. Hamilton*, 959 F.3d 842, 846–47 (7th Cir. 2020).

Rodriguez Ruiz next challenges the district court's denial of his motions to compel discovery, which we review for abuse of discretion. *Gonzalez v. City of Milwaukee*, 791 F.3d 709, 713 (7th Cir. 2015). He generally asserts that the district court "disregarded" the first motion. But Rodriguez Ruiz does not explain how the court abused its discretion by refusing to compel Weinman to respond to a discovery request before the second amended complaint had been screened. Rodriguez Ruiz did not renew the motion after the district court told him he could do so once Weinman had filed his answer and the court had entered a scheduling order. As to his second motion, Rodriguez Ruiz says that the video footage would have shown the witnesses to his fall, including correctional officers and nurses who were not allowed to file incident reports. But Rodriguez Ruiz filed the motion when Weinman was the only defendant left in the case. And the district court reasonably denied the motion where Rodriguez Ruiz did not explain the video's relevance to his claim against Weinman, *see* FED. R. CIV. P. 26(b)(1), which involved Weinman's alleged cancellation months later of Rodriguez Ruiz's cane, physical therapy, and pain medication. Rodriguez Ruiz also does not address the district court's conclusion that he violated local rules by failing to confer with opposing counsel before filing the motion.

Next, Rodriguez Ruiz argues that the district court abused its discretion when it adopted Weinman's proposed statement of material facts because Rodriguez Ruiz's response failed to comply with local rules. *See Allen-Noll v. Madison Area Tech. Coll.*, 969 F.3d 343, 349 (7th Cir. 2020). But the district court acted within its discretion to enforce strictly its local rules and to disregard Rodriguez Ruiz's non-compliant filing. *See id.* The Eastern District of Wisconsin's local rules require a party opposing summary judgment to cite record materials or other evidence showing a genuine dispute of material fact and to provide paragraph-by-paragraph responses to a movant's proposed material facts. *See* E.D. WIS. CIV. R. 56(b)(2)(B)(i). Here, Weinman notified Rodriguez Ruiz of the rules for responding to Weinman's motion for summary judgment, explaining that if he did not respond to a particular proposed fact, the court would assume he did not dispute it and would accept it as true. *See* E.D. WIS. CIV. R. 56(a). Despite this notice from both the defense and the court, Rodriguez Ruiz did not respond to Weinman's proposed facts, instead filing an "objection" with 600 pages of exhibits.

Finally, Rodriguez Ruiz generally argues that the district court erred by granting summary judgment for Weinman. We review that decision *de novo*, reviewing the record and drawing all reasonable inferences from it in Rodriguez Ruiz's favor. *Lockett v. Bonson*, 937 F.3d 1016, 1022 (7th Cir. 2019). A prison official is deliberately indifferent

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if he “knows of and disregards an excessive risk to inmate health or safety,” *Farmer v. Brennan*, 511 U.S. 825, 837 (1994), and can be held liable only if he is personally involved in the alleged deprivation, *see Vance v. Peters*, 97 F.3d 987, 991 (7th Cir. 1996).

We agree with the district court that no reasonable jury could find that Weinman was deliberately indifferent to Rodriguez Ruiz’s condition. Nothing in the record, including Rodriguez Ruiz’s 600 pages of exhibits, shows that Weinman was personally involved in Rodriguez Ruiz’s treatment or had reason to believe he was receiving inadequate care. Weinman’s position was administrative, and he neither took care of patients, nor had authority to make treatment-related decisions.

AFFIRMED