

BLD-196

NOT PRECEDENTIAL

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

No. 25-3407

JUSTIN M. DYNLACHT
Appellant

v.

DR. RALPH LAUGHINGWELL, Clinical Director FDC Philadelphia;
DR. AARON WEAVER, Medical Director FDC Philadelphia; M. WASHINGTON,
Interim Warden FDC Philadelphia; J.L. JAMINSON, Warden FDC Philadelphia, PA

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 2:25-cv-05277)
District Judge: Honorable Gerald J. Pappert

Submitted for Possible Dismissal Pursuant to 28 U.S.C. § 1915(e)(2)(B) or
Summary Action Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6
September 3, 2026

Before: KRAUSE, MATEY, and BOVE, Circuit Judges

(Opinion filed: September 17, 2026)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Justin Dynlacht, proceeding pro se and in forma pauperis, appeals from the District Court's order dismissing his case for failure to state a claim. We will summarily affirm.

I.

Dynlacht filed a *Bivens* action alleging Eighth and First Amendment¹ violations when he did not receive timely and appropriate medical care while he was a pretrial detainee at the Federal Detention Center in Philadelphia ("FDC Philadelphia"). Dynlacht asserted that the defendants were deliberately indifferent to his serious medical needs, which resulted in medical issues including flare ups of his Crohn's disease. He also asserted that the defendants withheld treatment and provided inappropriate treatment for his chronic health conditions to coerce him into accepting a plea deal. Dynlacht had access to a grievance process, which he used to grieve these claims.

The District Court dismissed Dynlacht's complaint for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) without leave to amend. This appeal followed.

II.

We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over the dismissal of his complaint, *see Dooley v. Wetzel*, 957 F.3d 366, 373 (3d Cir. 2020), and we review the denial of leave to amend for abuse of discretion. *See id.* at 376. We

¹ While he invoked the First Amendment, Dynlacht's complaint does not explain how his rights under that amendment were violated. Even if he had, the Supreme Court has never held that there is a *Bivens* remedy under the First Amendment. *Egbert v. Boule*, 596 U.S. 482, 498 (2022).

may summarily affirm if an appeal fails to present a substantial question. *See* 3d Cir. L.A.R. 27.4; I.O.P. 10.6.

III.

As the District Court carefully explained in its thoughtful opinion, Dynlacht’s constitutional claims are not cognizable under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).

The Supreme Court recognizes a *Bivens* cause of action to redress constitutional violations by federal officers in three limited contexts: (1) under the Fourth Amendment for an unreasonable search and seizure of a residence, *see Bivens*, 403 U.S. at 397; (2) under the Fifth Amendment for sex discrimination, *see Davis v. Passman*, 442 U.S. 228, 248–49 (1979); and (3) under the Eighth Amendment for failure to provide adequate medical treatment to a prisoner, *see Carlson v. Green*, 446 U.S. 14, 19 (1980). *See Egbert v. Boule*, 596 U.S. 482, 490–91 (2022).

To determine if remedies are available under *Bivens*, we ask if the case presents a new context from previous *Bivens* cases decided by the Supreme Court and, if so, “whether there are special factors counselling hesitation in extending *Bivens*.” *Kalu v. Spaulding*, 113 F.4th 311, 326 (3d Cir. 2024) (internal quotation omitted).

On appeal, Dynlacht argues that his Eighth Amendment claim falls under *Carlson*. But, as the District Court explained, his claims present a new context: as a pretrial detainee, his claims fall under the Fifth Amendment, not the Eighth Amendment. *See Kalu*, 113 F.4th at 327. Moreover, as in *Muniz v. United States*, Dynlacht had access to an alternative remedial mechanism. 149 F.4th 256, 265 (3d Cir. 2025) (“At bottom, [the

complainant's] *Bivens* claim fails because an alternative remedy existed and was made available to him."").

Therefore, Dynlacht's claims cannot be brought under *Bivens*. *See Kalu*, 113 F.4th at 327. We agree with the District Court that amendment would have been futile. *See Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108 (3d Cir. 2002).

For these reasons, we will affirm the judgment of the District Court.