

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Decarlo A. Garner, Jr. v. SL Tennessee, LLC, et al.

No. 3:25-CV-451-TAV-DCP (E.D. Tenn. Apr. 30, 2026) · No. No. 3:25-CV-451-TAV-DCP · Decided April 30, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee reviews a pro se plaintiff’s application to proceed without prepaying fees and screens his civil rights complaint under 28 U.S.C. § 1915(e)(2). The court finds that the complaint does not adequately state claims under Title VII or 42 U.S.C. § 1983 and identifies defendants against whom no allegations are made. Rather than dismissing the action outright, the court holds the fee application in abeyance and grants the plaintiff until June 1, 2026, to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Debra C. Poplin
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	April 30, 2026
DOCKET	No. 3:25-CV-451-TAV-DCP
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed an application to proceed without prepaying fees or costs and a civil-rights complaint. The magistrate judge conducted the required screening under 28 U.S.C. § 1915(e)(2)(B), held the fee application in abeyance, and granted plaintiff leave to amend rather than recommending immediate dismissal.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an action that is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. At the pleading stage, the court accepts well-pleaded factual allegations as true and applies Rule 8(a)'s requirement that the complaint contain sufficient factual matter to state a plausible claim for relief. Pro se civil-rights pleadings are liberally construed.

PRECEDENTIAL VALUE	Unpublished district court memorandum and order; generally nonprecedential and persuasive only.
PARTIES	Decarlo A. Garner, Jr. v. SL Tennessee, LLC, et al.

TOPICS

pleadings civil procedure title vii section 1983 civil rights

PRACTICE AREAS

Civil procedure Civil rights Employment discrimination

QUESTIONS PRESENTED

1. Whether the complaint satisfied the pleading and screening requirements of Rule 8(a), Rule 12(b)(6), and 28 U.S.C. § 1915(e)(2)(B).
2. Whether the allegations sufficiently stated a Title VII race-discrimination or racially hostile-work-environment claim.
3. Whether the allegations sufficiently stated a 42 U.S.C. § 1983 claim for false arrest or another constitutional violation.
4. Whether the court should permit a pro se plaintiff to amend rather than immediately dismiss the complaint.

HOLDINGS

1. A complaint filed by a nonprisoner seeking in forma pauperis status must be screened under 28 U.S.C. § 1915(e)(2), and it may be dismissed if it is frivolous or malicious, fails to state a claim, or seeks relief from an immune defendant. The complaint must also satisfy Rule 8(a) and contain sufficient factual matter to state a plausible claim.
2. The complaint did not adequately state a Title VII claim because it did not allege facts supporting an inference that the assault or threats were related to race, did not provide sufficient facts concerning the racial slur, and could not assert Title VII claims against individual employees in their individual capacities.
3. The complaint did not sufficiently plead a § 1983 false-arrest claim because it did not allege that the defendant acted under color of state law or that the alleged arrest lacked probable cause.
4. A pro se plaintiff should be given an opportunity to amend the complaint to provide a short and plain statement of the facts, defendants, legal violations, injuries, and requested relief before dismissal is recommended.

KEY QUOTATIONS

“To survive an initial review, a complaint “must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’””

“Title VII actions simply may not be brought against employees and supervisors in their individual capacities.”

“Because Plaintiff’s amended complaint will completely replace, not supplement, the original complaint, any facts or claims that Plaintiff wishes to maintain must be included in the amended complaint.”

FACTUAL BACKGROUND

Garner alleged that he received workplace threats, that a racial slur was spray-painted near an area where he and others worked, and that he reported these matters to human resources and a company owner without receiving an effective response. He further alleged that a plant manager assaulted him and that a security guard contacted the guard's brother to arrest him. The complaint named numerous defendants, several of whom were not connected to any factual allegations.

PROCEDURAL HISTORY

Garner filed an application to proceed in forma pauperis and a complaint alleging workplace threats, assault, racial discrimination, and false arrest. The court screened the complaint and concluded that it did not adequately identify causes of action or plead sufficient facts supporting Title VII or 42 U.S.C. § 1983 claims. The court allowed Garner to file a complete amended complaint by June 1, 2026 and held the application to proceed without prepaying fees or costs in abeyance.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- McGore v. Wrigglesworth, 114 F.3d 601, 608 (6th Cir. 1997)
- Jones v. Brock, 549 U.S. 199 (2007)
- Answers in Genesis, Inc. v. Creation Ministries Int'l, Ltd., 556 F.3d 459, 465 (6th Cir. 2009)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Green v. Correct Care Sols., No. 3:14-CV-01070, 2014 WL 1806997, at *4 (M.D. Tenn. May 7, 2014)
- Flynn v. Memphis Pathology Lab'y (AEL), No. 2:19-2882-CV, 2020 WL 5801087, at *4 (W.D. Tenn. Sept. 29, 2020)
- Johnson v. Ford Motor Co., 13 F.4th 493, 503 (6th Cir. 2021)
- Williams v. CSX Transp. Co., 643 F.3d 502, 511 (6th Cir. 2011)
- Swierkiewicz v. Sorema N. A., 534 U.S. 506, 515 (2002)
- Shaw v. Prologistix, No. 2:24-CV-2219, 2024 WL 2378944, at *2 (W.D. Tenn. May 23, 2024)
- Hood v. City of Memphis Pub. Works Div., No. 17-2869, 2018 WL 2387102, at *3 (W.D. Tenn. Jan. 8, 2018)
- Fisher v. Merryman, 32 F. App'x 721, 723 (6th Cir. 2002)

- Wathen v. Gen. Elec. Co., 115 F.3d 400, 405 (6th Cir. 1997)
- Roath v. Lee, No. 3:17-CV-00995, 2019 WL 3066533, at *8 (M.D. Tenn. July 12, 2019)
- Nelson v. Campbell, 541 U.S. 637, 643 (2004)
- Adickes v. S.H. Kress & Co., 398 U.S. 144, 150 (1970)
- Weser v. Goodson, 965 F.3d 507, 513 (6th Cir. 2020)
- Voyticky v. Village of Timberlake, 412 F.3d 669, 677 (6th Cir. 2005)
- Polite v. VIP Cmty. Servs., No. 20-CV-7631, 2020 WL 6064297, at *3 (S.D.N.Y. Oct. 13, 2020)

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