

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Sam Jackson v. Volunteers of America, Inc., et al.

Jackson v. Volunteers of America · No. 2:25-cv-01569 · Decided April 9, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana partially grants and partially denies two motions to dismiss in Sam Jackson’s pro se employment-discrimination action. The court dismisses claims under the ADA and ADEA, claims against individual defendants, and unexhausted Title VII claims, while allowing certain race- and religion-based Title VII claims against organizational defendants to proceed subject to amendment. The court grants Jackson thirty days to file an amended complaint with more detailed factual allegations.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Fallon
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	April 9, 2026
DOCKET	2:25-cv-01569
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff brought employment-discrimination claims under Title VII, the ADEA, and the ADA. Defendants moved to dismiss under Federal Rules of Civil Procedure 12(b)(4), 12(b)(5), and 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff’s favor, and asks whether the complaint states a facially plausible claim. Conclusory allegations, unwarranted factual inferences, and legal conclusions are not accepted as true. The court also applied liberal construction to the pro se complaint and reviewed administrative-exhaustion issues under Title VII.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Sam Jackson v. Volunteers of America, Inc., Volunteers of America Southeast Louisiana, Inc., Jeff Mullan, Greg Brown, Jason Stereal,

TOPICS

motions to dismiss

title vii

employment discrimination

religious discrimination

racial discrimination

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether Jackson stated claims under the ADEA or ADA.
2. Whether Title VII claims could proceed against the individual defendants.
3. Whether Jackson exhausted his administrative remedies for the various Title VII theories asserted in the complaint.
4. Whether Jackson sufficiently alleged an employment relationship with VOASELA.
5. Whether the remaining Title VII claims against VOASELA and Express Services should be dismissed for failure to state a claim, or whether Jackson should receive leave to amend.
6. Whether Express Services's allegedly late service warranted dismissal under Rules 12(b)(4) or 12(b)(5).

HOLDINGS

1. Jackson's complaint contained no factual allegations supporting an ADEA or ADA claim; all claims under those statutes were dismissed.
2. Title VII does not impose individual liability on defendants in either their individual or official capacities; Jackson's Title VII claims against Mullan, Brown, Stereal, and Anderson were dismissed.
3. Jackson exhausted only claims that were like or related to the allegations in his EEOC charges. Because the Volunteers charge alleged only race- or religion-based discrimination and the Express charge alleged only race-based discrimination, his other Title VII theories were unexhausted and were dismissed.
4. Jackson sufficiently alleged an employment relationship with VOASELA at the motion-to-dismiss stage.
5. The court declined to dismiss the remaining Title VII claims with prejudice and granted Jackson thirty days to amend his complaint with more complete factual allegations.
6. The court declined to dismiss Express Services's claims based on a seven-day delay in service.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim for relief that is plausible on its face.’” (Discussion)

“Individuals are not liable under Title VII in either their individual or official capacities.” (Discussion)

“The exhaustion requirement is satisfied when plaintiff files a timely charge with the EEOC and receives a statutory right-to-sue notice.” (Discussion)

FACTUAL BACKGROUND

Jackson alleged that he worked for Volunteers of America beginning in December 2024 as a monitor at \$10 per hour and was not transitioned to full-time employment after working the required hours, while another worker allegedly was transitioned. He attributed the failure to transition to his Christian religion in his Volunteers EEOC charge and asserted race-based retaliation or discrimination in his Express charge. His complaint checked boxes asserting Title VII, ADEA, and ADA claims based on termination, failure to promote, failure to accommodate, unequal employment terms, retaliation, and discrimination based on race, color, sex, religion, and age.

PROCEDURAL HISTORY

Jackson filed his complaint in the Eastern District of Louisiana on July 30, 2025, attaching EEOC charges and right-to-sue notices. Defendants filed two motions to dismiss, and Jackson filed no opposition. The court granted the motions in part, denied them in part, dismissed the ADEA, ADA, individual-defendant, and unexhausted Title VII claims, and granted leave to amend the remaining Title VII claims.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Jackson was ordered to file, within thirty days, an amended complaint alleging more fulsome facts supporting the remaining Title VII claims: race- and religion-based discrimination against VOASELA and race-based discrimination against Express Services. Failure to amend would result in dismissal of the remaining claims without further notice.

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Baker v. Putnal, 75 F.3d 190, 196 (5th Cir. 1996)
- Arias-Benn v. State Farm Fire & Casualty Co., 495 F.3d 228, 230 (5th Cir. 2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Ackel v. National Communications, Inc., 339 F.3d 376, 388 n.1 (5th Cir. 2003)
- Castro v. Texas Department of Criminal Justice, 541 F. App'x 374, 379 (5th Cir. 2013)
- E.E.O.C. v. Resources for Human Development, Inc., 827 F. Supp. 2d 688, 697 (E.D. La. 2011)
- Ordonye v. Clement, No. 24-2084, 2025 WL 371385, at *10 (E.D. La. Feb. 3, 2025)
- Fine v. GAF Chemical Corp., 995 F.2d 576, 578 (5th Cir. 1993)
- Lavergne v. HCA Inc., 452 F. Supp. 2d 682, 689 (E.D. Tex. 2006)

- Foman v. Davis, 371 U.S. 178, 182 (1962)
- George v. U.S. Department of Labor, 788 F.2d 1115, 1116 (5th Cir. 1986)

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