

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION

Deondre’ Rose v. Buffalo Rock Company

Rose · No. 2:25-cv-00523-RAH-KFP · Decided January 26, 2026

SUMMARY

The United States District Court for the Middle District of Alabama reviews objections to a magistrate judge’s recommendation concerning exhaustion of administrative remedies. The court dismisses the harassment, hostile work environment, and retaliation claims, but permits race-based discriminatory demotion and termination claims to proceed because those claims were exhausted through the plaintiff’s EEOC charge. The case proceeds on portions of Count I and on Counts III and IV.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	R. Austin Huffaker, Jr.
JURISDICTION	United States District Court for the Middle District of Alabama
DECIDED	January 26, 2026
DOCKET	2:25-cv-00523-RAH-KFP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge’s report and recommendation recommending dismissal of Counts I and II of the Second Amended Complaint for failure to exhaust administrative remedies. The district court conducted de novo review of the disputed portions and ruled on Defendant’s Partial Motion to Dismiss.
STANDARD OF REVIEW	The district court reviews disputed portions of a magistrate judge’s recommendation de novo under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3). Objections must be sufficiently specific to warrant de novo review; otherwise, the recommendation is reviewed for clear error.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Deondre’ Rose v. Buffalo Rock Company

TOPICS

motions to dismiss

title vii

racial discrimination

hostile work environment

retaliation

PRACTICE AREAS

civil procedure

employment law

employment discrimination

title vii

civil rights

QUESTIONS PRESENTED

1. Whether the district court should review the magistrate judge's recommendation de novo based on Plaintiff's objections.
2. Whether Rose exhausted administrative remedies for his race-based harassment and hostile-work-environment claims.
3. Whether Rose exhausted administrative remedies for his retaliation claim.
4. Whether Rose exhausted administrative remedies for his race-based discriminatory demotion and termination claims.

HOLDINGS

1. Specific objections to a magistrate judge's recommendation require de novo review of the disputed portions, while insufficiently specific objections result in clear-error review.
2. Rose failed to exhaust his race-based harassment and hostile-work-environment claims because his EEOC Charge did not allege or suggest unwelcome harassment, a hostile work environment, or race-based harassment.
3. Rose failed to exhaust his retaliation claim because his EEOC Charge contained no allegation or indication that he suffered retaliation for engaging in protected conduct.
4. Rose properly exhausted his race-based discriminatory demotion and termination claims because those claims were expressly asserted in his EEOC Charge.

KEY QUOTATIONS

"The EEOC Charge makes clear that Plaintiff was claiming discriminatory demotion and termination based on race."

"Nowhere did Plaintiff claim or even hint about a racially hostile work environment, race-based harassment, or any retaliatory conduct based on engaging in protected conduct."

FACTUAL BACKGROUND

Rose's EEOC Charge stated that he was demoted in April 2023 and discharged on October 4, 2023, for tardiness while white comparators were not disciplined, demoted, or discharged for the same conduct. The Charge asserted race discrimination under Title VII but did not mention a racially hostile work environment, race-based harassment, or retaliation for protected conduct. In the Second Amended Complaint, Rose asserted claims concerning racial discrimination and harassment, including discriminatory demotion and termination, as well as harassment, hostile work environment, and retaliation.

PROCEDURAL HISTORY

The magistrate judge recommended dismissing Count I's harassment and hostile-work-environment claim and Count II's retaliation claim for failure to exhaust administrative remedies. Plaintiff objected, asserting that his EEOC Charge encompassed those claims and also challenged the treatment of his race-based demotion and termination claims. The district court adopted the recommendation in part, rejected it in part, dismissed the harassment, hostile-work-environment, and retaliation claims, and allowed the discriminatory demotion and termination claims in Count I, along with Counts III and IV, to proceed.

DISPOSITION

other

REMAND INSTRUCTIONS

The case was referred back to the magistrate judge for further proceedings. Counts I, III, and IV proceed, with Count I limited to the racially discriminatory demotion and termination claims.

CASES CITED

- Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ., 896 F.2d 507, 513 (11th Cir. 1990)
- United States v. Opie, 347 F. App'x 495, 499 n.1 (11th Cir. 2009)
- Macort v. Prem, Inc., 208 F. App'x 781, 783–85 (11th Cir. 2006)