

DISTRICT COURT OF THE VIRGIN ISLANDS, DIVISION OF ST. CROIX

Ronnie Garcia v. Cruzan Viril, Ltd., Beam Suntory, Inc., Ayanda Daniels, Cruzan Rum Distillery, United Industrial Workers of the Seafarers International Union, AFL-CIO, and Eugene Irish

Garcia · No. Civil Action No. 23-0007 · Decided February 13, 2026

SUMMARY

The District Court of the Virgin Islands adopts a magistrate judge’s report and recommendation and grants the Cruzan defendants’ motion to dismiss Ronnie Garcia’s amended employment-discrimination complaint without prejudice. The court holds that Garcia’s Title VII and ADA claims are untimely, declines supplemental jurisdiction over his Virgin Islands law claims, vacates the prior screening recommendation, and permits Garcia 45 days to file a second amended complaint.

CASE DETAILS

COURT	District Court of the Virgin Islands, Division of St. Croix
WRITING FOR THE COURT	Wilma A. Lewis, Senior District Judge
JURISDICTION	District Court of the Virgin Islands, Division of St. Croix
DECIDED	February 13, 2026
DOCKET	Civil Action No. 23-0007
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's unopposed Report and Recommendation recommending dismissal of the amended employment-discrimination complaint under Federal Rule of Civil Procedure 12(b)(6), with leave to amend.
STANDARD OF REVIEW	The court afforded the unobjected-to Report and Recommendation reasoned consideration. For Rule 12(b)(6), the court applied the Twombly/Iqbal plausibility standard, accepting well-pleaded factual allegations as true and drawing reasonable inferences in the plaintiff's favor.
PRECEDENTIAL VALUE	unpublished_nonprecedential

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QUESTIONS PRESENTED

1. Whether Garcia's Title VII and ADA claims were barred by the ninety-day limitations period measured from receipt of the EEOC Notice of Right to Sue.
2. Whether the court could consider the EEOC Notice of Right to Sue in resolving the Rule 12(b)(6) motion.
3. Whether equitable tolling, waiver, or estoppel could excuse the untimely federal claims on the record presented.
4. Whether the court should exercise supplemental jurisdiction over the Virgin Islands Wrongful Discharge Act and Virgin Islands Civil Rights Act claims after dismissing the federal claims.
5. Whether the court should consider inadequately presented personal-jurisdiction and service-of-process arguments raised only in footnotes.

HOLDINGS

1. Title VII and ADA claims must be filed within ninety days after receipt of the EEOC Notice of Right to Sue. Where the actual mailing and receipt dates are unknown, the court may presume mailing on the date shown on the notice and receipt three days later. Garcia's federal claims, filed more than ninety days after the presumed October 21, 2021 receipt date, were time-barred.
2. The court may consider an EEOC Notice of Right to Sue referenced in the complaint even though it was not attached, because the notice is integral to the federal claims and is a public record.
3. The ninety-day filing period is subject to equitable tolling, waiver, and estoppel, but the court could not apply those doctrines because Garcia did not respond to the motion to dismiss or present facts supporting their application.
4. After dismissing all claims within its original federal-question jurisdiction, the court declined to exercise supplemental jurisdiction over Garcia's Virgin Islands Wrongful Discharge Act and Virgin Islands Civil Rights Act claims and dismissed those claims without prejudice.

KEY QUOTATIONS

“Individuals who assert claims under either Title VII or the ADA must bring suit in court within ninety days of receiving a Notice of Right to Sue letter.” (Section III.A)

“The Court is unaware of any affirmative justification or extraordinary circumstances that would warrant the exercise of supplemental jurisdiction over the local law claims.” (Section III.B)

FACTUAL BACKGROUND

Garcia alleged that his employer discriminated against him based on race and disability and retaliated against him after he reported unsafe working conditions, contacted OSHA and the NLRB, and raised health-related

concerns. He described multiple suspensions and disciplinary incidents in 2020, including incidents involving workplace safety, protective equipment, mask use, and a back injury, and alleged that he received a termination letter on May 3, 2021. He asserted federal Title VII and ADA claims and territorial claims under the Virgin Islands Wrongful Discharge Act and Virgin Islands Civil Rights Act, alleging that he had received an EEOC Notice of Right to Sue dated October 18, 2021. Because the action was filed on February 13, 2023, the court presumed receipt of the notice on October 21, 2021 and concluded that the federal claims were filed outside the ninety-day period.

PROCEDURAL HISTORY

Garcia filed a complaint alleging Title VII, ADA, Virgin Islands Wrongful Discharge Act, and Virgin Islands Civil Rights Act claims. After an initial screening Report and Recommendation, Garcia filed an amended complaint adding the Union and Eugene Irish without new factual allegations. The Cruzan defendants moved to dismiss the amended complaint; the magistrate judge recommended dismissal without prejudice, vacatur of the earlier screening recommendation, and an opportunity to amend. The district court adopted the recommendation, dismissed all claims without prejudice, declined supplemental jurisdiction over the territorial claims, and allowed Garcia forty-five days to file a second amended complaint.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 154 (1985)
- Equal Employment Opportunity Commission v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017)
- Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987)
- Massie v. Finley, 2021 WL 11108887, at *1 (M.D. Pa. June 2, 2021)
- Cruz v. Chater, 990 F. Supp. 375, 377 (M.D. Pa. 1998)
- Pratt v. Marsh, 2021 WL 2188576, at *8 (E.D. Pa. May 28, 2021), aff'd sub nom. Pratt v. Superintendent Benner Township SCI, 2023 WL 5607516 (3d Cir. Aug. 30, 2023)
- Seamon v. Shapiro, 2025 WL 88837, at *2 (3d Cir. Jan. 14, 2025)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Connelly v. Lane Construction Corp., 809 F.3d 780, 787, 790 & n.2 (3d Cir. 2016)
- Doe v. University of the Sciences, 961 F.3d 203, 208 (3d Cir. 2020)
- Nekrilov v. City of Jersey, 45 F.4th 662, 668 (3d Cir. 2022)
- Figueroa v. Buccaneer Hotel, 188 F.3d 172, 176, 181 (3d Cir. 1999)
- Lane v. Exel, Inc., 2018 WL 1251835, at *2 (M.D. Pa. Mar. 12, 2018)
- Ruddy v. U.S. Postal Service, 455 F. App'x 279, 283 (3d Cir. 2011)
- Boyd-Richards v. de Jongh, 2012 WL 13682, at *4 (D.V.I. Jan. 4, 2012)
- Tiberio v. Allergy Asthma Immunology of Rochester, 664 F.3d 35, 37 (2d Cir. 2011)

- Edwards v. Bay State Milling Co., 519 F. App'x 746, 748 (3d Cir. 2013)
- Kirman v. United Parcel Service, Inc., 2015 WL 7720494, at *6 (D.N.J. Nov. 30, 2015)
- Lomax v. PNC Bank, N.A., 2011 WL 2039084, at *1 (W.D. Pa. May 24, 2011)
- Communications Workers of America v. New Jersey Department of Personnel, 282 F.3d 213, 216-17 (3d Cir. 2002)
- Carter v. Keystone, 360 F. App'x 271, 272-73 (3d Cir. 2010)
- Myrick v. Discover Bank, 662 F. App'x 179, 181-82 & n.2 (3d Cir. 2016)
- Coulter v. Unknown Probation Officer, 562 F. App'x 87, 89 n.2 (3d Cir. 2014)
- Simcic v. Pittsburgh Water & Sewer Authority, 605 F. App'x 88, 92 (3d Cir. 2015)
- Shaffer v. Board of School Directors, 730 F.2d 910, 912 (3d Cir. 1984)
- Smajlaj v. Campbell Soup Co., 782 F. Supp. 2d 84, 105 (D.N.J. 2011)

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