

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI, SOUTHERN DIVISION

J.M., by and through G.M. and W.S., et al. v. Ozark Horizon State
School, et al.

J.M. · No. 6:23-cv-03222-MDH · Decided June 25, 2026

SUMMARY

The United States District Court for the Western District of Missouri granted defendants’ motion for judgment on the pleadings as to the plaintiffs’ claims under Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and negligent infliction of emotional distress. The court held that the complaint did not plausibly allege disability-based exclusion or discrimination and that the negligent infliction of emotional distress claim belonged to the child’s parents individually rather than to the minor plaintiff through his next friends. Judgment was entered for defendants on Counts III, IV, and VIII.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri, Southern Division
WRITING FOR THE COURT	Douglas Harpool
JURISDICTION	United States District Court for the Western District of Missouri, Southern Division
DECIDED	June 25, 2026
DOCKET	6:23-cv-03222-MDH
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c) as to Counts III, IV, and VIII of Plaintiffs' First Amended Complaint. The court granted the motion and entered judgment for Defendants on those counts.
STANDARD OF REVIEW	A Rule 12(c) motion for judgment on the pleadings is evaluated under the same standard as a Rule 12(b)(6) motion. The court accepts factual allegations as true, draws reasonable inferences in the plaintiff's favor, disregards legal conclusions couched as factual allegations, and asks whether the complaint states a facially plausible claim that raises a right to relief above the speculative level.

PRECEDENTIAL VALUE	unpublished, nonprecedential federal district court order
PARTIES	J.M., by and through G.M. and W.S., et al. v. Ozark Horizon State School, et al.

TOPICS

motion for judgment on the pleadings

ada / disability

negligent infliction of emotional distress

civil rights

civil procedure

PRACTICE AREAS

civil procedure

civil rights

disability discrimination

torts

QUESTIONS PRESENTED

1. Whether Plaintiffs' allegations plausibly stated a claim under Title II of the Americans with Disabilities Act by alleging exclusion from or denial of school benefits, services, programs, or activities by reason of J.M.'s disability.
2. Whether Plaintiffs' allegations plausibly stated a claim under Section 504 of the Rehabilitation Act by alleging that J.M. was denied program benefits and discriminated against based on his disability.
3. Whether J.M., through his parents as next friends, could assert a negligent infliction of emotional distress claim based on emotional injuries allegedly suffered by his parents.

HOLDINGS

1. The complaint failed to state a Title II ADA claim because it did not allege nonconclusory facts showing that J.M. was excluded from participation in, denied the benefits of, or otherwise discriminated against in school services, programs, or activities by reason of his disability.
2. The complaint failed to state a Section 504 Rehabilitation Act claim because it did not allege factual matter showing that J.M. was excluded from or denied program benefits, or discriminated against, by reason of his disability.
3. J.M. could not assert his parents' negligent infliction of emotional distress claim because the alleged emotional injuries were suffered by his parents, not by J.M.; as next friends, the parents could assert claims on behalf of J.M. but not their own individual claims in this action.

KEY QUOTATIONS

"The same legal standard used to evaluate a motion to dismiss for failure to state a claim under Fed. R. Civ. P. 12(b)(6) applies to a motion for judgment on the pleadings." (Standard)

"The claim Plaintiffs bring in this count is one that properly belongs to the parents of J.M. and not J.M. himself." (Analysis § II)

FACTUAL BACKGROUND

J.M. was a severely developmentally disabled, nonverbal nine-year-old student at Ozark Horizon State School. Plaintiffs alleged that school employee Christy Renee Rinear assaulted J.M. on two occasions in October 2022 and that employee Sheryl Youngblood knew of or observed abuse but failed to report it timely. Plaintiffs also alleged that school and state defendants failed to implement safeguards after a prior assault involving another disabled student. J.M.'s parents alleged that they suffered emotional distress from the abuse, including from viewing evidence of it.

PROCEDURAL HISTORY

Plaintiffs filed a First Amended Complaint asserting eight claims arising from alleged assaults of J.M., a severely developmentally disabled student, at Ozark Horizon State School. Defendants sought judgment on the pleadings on the Title II ADA claim, Rehabilitation Act claim, and negligent infliction of emotional distress claim. After briefing, the court granted the motion as to all three counts.

DISPOSITION

other

CASES CITED

- *Gallagher v. City of Clayton*, 699 F.3d 1013, 1016 (8th Cir. 2012)
- *Blankenship v. USA Truck, Inc.*, 601 F.3d 852, 853 (8th Cir. 2010)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Rinehart v. Weitzell*, 964 F.3d 684, 688 (8th Cir. 2020)
- *Baribeau v. City of Minneapolis*, 596 F.3d 465, 484 (8th Cir. 2010)
- *Baker v. Bentonville Sch. Dist.*, 610 F. Supp. 3d 1157, 1164 (W.D. Ark. 2022), *aff'd*, 75 F.4th 810 (8th Cir. 2023)
- *Layton v. Elder*, 143 F.3d 469, 479 (8th Cir. 1998)
- *Doe v. Sutton*, No. 4:23-CV-01312-SEP, 2026 WL 874008, at *6 (E.D. Mo. Mar. 31, 2026)
- *Thornburg v. Fed. Express Corp.*, 62 S.W.3d 421, 427 (Mo. Ct. App. 2001)
- *Bosch v. St. Louis Healthcare Network*, 41 S.W.3d 462, 465 (Mo. 2001)

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