

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Sidney Keys, Sr. v. Hertz Rental

No. 4:25-cv-00342-SEP · No. No. 4:25-cv-00342-SEP · Decided December 11, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri dismissed Sidney Keys’s pro se complaint against Hertz Rental without prejudice under 28 U.S.C. § 1915(e)(2)(B). The court held that the complaint failed to plausibly allege discriminatory intent supporting a claim under 42 U.S.C. § 1981. The court granted leave to proceed without prepaying fees or costs and denied the motion to appoint counsel.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Sarah E. Pitlyk
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	December 11, 2025
DOCKET	No. 4:25-cv-00342-SEP
DISPOSITION	dismissed
PROCEDURAL POSTURE	On initial review of a pro se complaint filed in forma pauperis, the court considered whether the complaint stated a claim for racial discrimination under 42 U.S.C. § 1981 and dismissed it without prejudice under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis complaint that is frivolous, malicious, or fails to state a claim. The court applies the plausibility standard, accepts well-pleaded factual allegations as true but not legal conclusions, and liberally construes a pro se complaint.
PRECEDENTIAL VALUE	unpublished
PARTIES	Sidney Keys, Sr. v. Hertz Rental

TOPICS

civil rights

pleadings

civil procedure

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QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged racial discrimination under 42 U.S.C. § 1981.
2. Whether the complaint was subject to dismissal on initial review under 28 U.S.C. § 1915(e)(2)(B).
3. Whether Plaintiff's motion to appoint counsel should be granted.

HOLDINGS

1. The complaint failed to state a plausible § 1981 claim because Plaintiff alleged no facts from which the court could infer that Hertz acted with discriminatory intent or racial animus.
2. The court was required to dismiss the action without prejudice because the complaint failed to state a claim upon which relief could be granted.

KEY QUOTATIONS

“To state a claim under 42 U.S.C. § 1983, a plaintiff must demonstrate a plausible claim for relief, which is more than a “mere possibility of misconduct.”” (at 1)

“A “liberal construction” means that, “if the essence of an allegation is discernible . . . then the district court should construe the complaint in a way that permits the layperson’s claim to be considered within the proper legal framework.”” (at 1)

“Because the Complaint fails to state a claim for racial discrimination under 42 U.S.C. § 1981, this case must be dismissed.” (at 3)

FACTUAL BACKGROUND

Plaintiff alleged that Hertz charged his Busey Bank credit card \$1,556.26 even though he was using a PNC Bank credit card. He also alleged that Hertz employees refused on several occasions to arrange or pay for Lyft or Uber transportation home, while he observed employees arranging such transportation for white customers. Finally, he alleged that Hertz failed to release a \$200 security deposit, but he did not allege facts connecting any of these events to racial animus.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging that Hertz discriminated against him based on race in connection with a credit-card charge, transportation from a rental office, and a security deposit. The court granted his application to proceed without prepaying fees or costs, denied his motion to appoint counsel as moot, and dismissed the action without prejudice because the complaint failed to state a plausible § 1981 claim.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Barton v. Taber, 820 F.3d 958, 964 (8th Cir. 2016)
- Brown v. Green Tree Servicing LLC, 820 F.3d 371, 372-73 (8th Cir. 2016)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Solomon v. Petray, 795 F.3d 777, 787 (8th Cir. 2015)
- Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004)
- Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980)
- McNeil v. United States, 508 U.S. 106, 113 (1993)
- Young v. Robert Half Int'l, Inc., 79 F.4th 949, 962 (8th Cir. 2023)
- Keys v. Marriott Int'l Corp., No. 4:25-cv-339-SEP (E.D. Mo.)
- Dunn v. White, 880 F.2d 1188, 1197 (10th Cir. 1989)