

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA

Alvin D. Robinson v. Guilford County Sheriff's Office and Danny H.
Rogers

Robinson · No. 1:23-cv-87 · Decided December 19, 2025

SUMMARY

The United States District Court for the Middle District of North Carolina considered claims by a former part-time deputy sheriff alleging that COVID-19 testing and masking requirements violated Title VII and the First Amendment. The court treated defendants’ motion to dismiss as a motion for summary judgment, concluded that the Guilford County Sheriff’s Office lacked capacity to be sued, and granted judgment to the defendants on the asserted claims, including the religious-accommodation claim and constitutional claims.

CASE DETAILS

COURT	United States District Court for the Middle District of North Carolina
WRITING FOR THE COURT	William L. Osteen Jr.
JURISDICTION	United States District Court for the Middle District of North Carolina
DECIDED	December 19, 2025
DOCKET	1:23-cv-87
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants' Rule 12(b)(6) motion was converted under Rule 12(d) into a motion for summary judgment after the parties were notified and given an opportunity to submit additional materials. The court granted summary judgment to Defendants, denied Plaintiff's request for voluntary dismissal without prejudice, and dismissed the action with prejudice.
STANDARD OF REVIEW	Under Rule 12(d), a Rule 12(b)(6) motion must be treated as a Rule 56 motion when matters outside the pleadings are presented to and not excluded by the court, provided the parties receive a reasonable opportunity to present pertinent material. Summary judgment is appropriate when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court viewed

facts in the light most favorable to Plaintiff and construed his pro se filings liberally.

PRECEDENTIAL VALUE

district court opinion; precedential status not specified

TOPICS

religious discrimination

title vii

free exercise clause

qualified immunity

summary judgment

PRACTICE AREAS

employment law

civil rights

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether the Rule 12(b)(6) motion was properly converted into a motion for summary judgment under Federal Rule of Civil Procedure 12(d).
2. Whether Defendants were entitled to summary judgment on Robinson's Title VII religious-accommodation claim because accommodating his requested exemption from weekly COVID-19 testing and routine masking would impose an undue hardship.
3. Whether Sheriff Rogers was entitled to qualified immunity on Robinson's individual-capacity Free Exercise claim because the asserted right was not clearly established.
4. Whether Robinson established municipal liability against Sheriff Rogers in his official capacity under Monell by showing an unconstitutional policy and constitutional harm.
5. Whether Robinson was entitled to voluntary dismissal without prejudice under Rule 41(a)(2).

HOLDINGS

1. Conversion of Defendants' Rule 12(b)(6) motion to a Rule 56 motion was appropriate because the court considered materials outside the pleadings, all parties received notice of the potential conversion, and both sides had an opportunity to submit additional materials.
2. The Guilford County Sheriff's Office lacked capacity to be sued as an entity and was properly dismissed as a Defendant.
3. Defendants were entitled to summary judgment because exempting Robinson from weekly COVID-19 testing and routine masking would impose an undue hardship in light of his close-contact law-enforcement duties and the resulting risks to coworkers and the public.
4. Sheriff Rogers was entitled to qualified immunity because, at the time of the challenged conduct, no clearly established precedent gave a law-enforcement employee a right to be exempt from a weekly COVID-19 testing and masking requirement for religious reasons.
5. Sheriff Rogers was entitled to summary judgment on the official-capacity claim because Robinson failed to show that the Testing Policy caused a constitutional harm.
6. Robinson's request for voluntary dismissal without prejudice was denied because the request was procedurally defective and the circumstances created plain legal prejudice to Defendants, including the

expense already incurred and the request's apparent purpose of avoiding an adverse summary-judgment ruling.

KEY QUOTATIONS

“This court finds that Defendants could not have accommodated Plaintiff without suffering an undue hardship and will therefore grant summary judgment to Defendants on Plaintiff’s Title VII claim.” (IV.A)

“This court finds that Plaintiff’s asserted right was not clearly established at the time Defendants terminated Plaintiff.” (IV.B)

“Therefore, this court finds that Defendants are entitled to summary judgment on Plaintiff’s claim against Sheriff Rogers in his official capacity because Plaintiff has failed to show that he has suffered a constitutional harm.” (IV.C)

“IT IS THEREFORE ORDERED that Defendants’ Motion to Dismiss, (Doc. 16), is converted into a Motion for Summary Judgment and is hereby GRANTED.” (V)

“IT IS FURTHER ORDERED that this action is DISMISSED WITH PREJUDICE.” (V)

FACTUAL BACKGROUND

Alvin D. Robinson was employed part-time as a deputy sheriff by the Guilford County Sheriff's Office when it adopted a COVID-19 Testing Disciplinary Policy requiring unvaccinated employees to undergo weekly testing and wear masks, while stating that vaccination was not mandatory. Robinson objected based on sincerely held Christian beliefs, requested exemption from weekly testing and routine masking, and refused to comply after the Sheriff's Office rejected his request. He was suspended without pay and later terminated after continuing to refuse weekly testing.

PROCEDURAL HISTORY

Robinson filed an EEOC charge on December 31, 2021, received a right-to-sue letter dated October 22, 2022, and filed this action on January 30, 2023. He asserted Title VII religious-discrimination claims and claims under 42 U.S.C. § 1983 based on the Free Exercise Clause. Defendants moved to dismiss; after the motion was converted to summary judgment, the parties submitted supplemental briefing and evidence. Robinson also requested voluntary dismissal without prejudice, which the court denied.

DISPOSITION

dismissed

CASES CITED

- Scott v. Harris, 550 U.S. 372, 378 (2007)
- Finley Lines Joint Protective Bd. Unit 200 v. Norfolk S. Corp., 109 F.3d 993, 996 (4th Cir. 1997)
- Gay v. Wall, 761 F.2d 175, 177 (4th Cir. 1985)
- Bullock v. United States, 176 F. Supp. 3d 517, 522-23 (M.D.N.C. 2016)

- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 250, 255 (1986)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- United States v. Wilson, 699 F.3d 789, 797 (4th Cir. 2012)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985)
- Efird v. Riley, 342 F. Supp. 2d 413, 419-20 (M.D.N.C. 2004)
- Avery v. Burke Cnty., 660 F.2d 111, 113-14 (4th Cir. 1981)
- Smith v. Munday, 848 F.3d 248, 256-57 (4th Cir. 2017)
- King v. McMillan, 594 F.3d 301, 308-09 (4th Cir. 2010)
- Lissau v. S. Food Serv., Inc., 159 F.3d 177, 180 (4th Cir. 1998)
- Kentucky v. Graham, 473 U.S. 159, 165 (1985)
- E.E.O.C. v. Firestone Fibers & Textiles Co., 515 F.3d 307, 312 (4th Cir. 2008)
- Barnett v. Inova Health Care Servs., 125 F.4th 465, 470 (4th Cir. 2025)
- E.E.O.C. v. Consol Energy, Inc., 860 F.3d 131, 142 (4th Cir. 2017)
- Groff v. DeJoy, 600 U.S. 447, 457, 468, 470-72 (2023)
- Reichle v. Howards, 566 U.S. 658, 664 (2012)
- Pearson v. Callahan, 555 U.S. 223, 236 (2009)
- Prince v. Massachusetts, 321 U.S. 158, 166-67 (1944)
- Workman v. Mingo Cnty. Bd. of Educ., 419 F. App'x 348, 354 (4th Cir. 2011)
- Roman Cath. Diocese of Brooklyn v. Cuomo, 592 U.S. 14, 18 (2020)
- Atkinson v. Godfrey, 100 F.4th 498, 504-10 (4th Cir. 2024)
- Kennedy v. Bremerton Sch. Dist., 597 U.S. 507, 525 (2022)
- Fulton v. City of Philadelphia, 593 U.S. 522, 533-34 (2021)
- Church of Lukumi Babalu Aye, Inc. v. Hialeah, 508 U.S. 520, 533-34, 540-42, 546 (1993)
- Kim v. Bd. of Educ. of Howard Cnty., 93 F.4th 733, 747-48 (4th Cir. 2024)
- Monell v. Department of Social Services, 436 U.S. 658, 690, 692-94 (1978)
- English v. Clarke, 90 F.4th 636, 649 (4th Cir. 2024)
- Davis v. USX Corp., 819 F.2d 1270, 1273-75 (4th Cir. 1987)
- Gross v. Spies, 133 F.3d 914 (4th Cir. 1998)
- Teck Gen. P'ship v. Crown Cent. Petroleum Corp., 28 F. Supp. 2d 989, 992 (E.D. Va. 1998)