

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Skylar Wamsley v. Bedford County

No. 4:24-cv-76 (E.D. Tenn. Apr. 29, 2026) · No. 4:24-cv-00076 · Decided April 29, 2026

SUMMARY

This memorandum addresses four motions in limine in a USERRA action brought by Skylar Wamsley against Bedford County. The court denies the motions concerning hospital photographs and lay testimony about the plaintiff’s injuries, grants the motion to exclude late-disclosed medical records, and declines to rule at that time on evidence concerning two prior termination decisions. The document identifies the case as set for trial on May 11, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Curtis L. Collier
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	April 29, 2026
DOCKET	4:24-cv-00076
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's USERRA action was set for trial. The court decided four defense motions in limine concerning photographs of plaintiff's hospital stay, medical records, lay testimony about plaintiff's injury, and evidence of prior termination decisions.
STANDARD OF REVIEW	Motions in limine are intended to narrow evidentiary issues and avoid unnecessary trial interruptions. Broad categorical exclusions should rarely be used, and evidence should be excluded in limine only when it is clearly inadmissible on all potential grounds. Relevance and possible prejudice are reviewed under the Federal Rules of Evidence, with the district court exercising broad discretion.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court memorandum
PARTIES	Skylar Wamsley v. Bedford County

TOPICS

motion in limine

evidence

employment law

military law

civil procedure

PRACTICE AREAS

Evidence

Employment law

Military employment rights

Civil procedure

QUESTIONS PRESENTED

1. Whether photographs depicting Wamsley in the hospital were relevant and whether their probative value was substantially outweighed by unfair prejudice or the danger of misleading the jury.
2. Whether photographs of medical records and the medical records themselves should be excluded under Federal Rules of Civil Procedure 26 and 37 because they were disclosed late and the nondisclosure was neither substantially justified nor harmless.
3. Whether Wamsley's mother and fiancée could provide lay testimony concerning their observations of his injuries, symptoms, recovery, and certain causal connections.
4. Whether evidence concerning Bedford County's prior termination decisions was relevant to discriminatory intent under USERRA.

HOLDINGS

1. The hospital photographs were relevant because they had at least some tendency to make it more probable that Wamsley suffered an injury during National Guard training, and their probative value was not substantially outweighed by unfair prejudice or the danger of misleading the jury.
2. The photographs of the medical records and, to the extent available to the parties, the medical records themselves were excluded under Federal Rule of Civil Procedure 37(c)(1).
3. Wamsley's mother and fiancée may testify about their personal observations of his injuries, symptoms, hospital condition, and recovery, and may offer general causal opinions within ordinary lay knowledge, but they may not provide scientific, technical, or specialized medical testimony.
4. Evidence concerning Lynch and Reed was excluded because plaintiff did not oppose exclusion. The court reserved ruling on evidence concerning Hart and Draine because factual disputes remained concerning whether their conduct was sufficiently comparable to Wamsley's conduct.

KEY QUOTATIONS

“Courts have power to exclude evidence through a motion in limine only when evidence is “clearly inadmissible on all potential grounds.”” (3)

““[H]armlessness . . . is the key under Rule 37, not prejudice.”” (8)

““Lay testimony ‘results from a process of reasoning familiar in everyday life,’ whereas ‘an expert’s testimony results from a process of reasoning which can be mastered only by specialists in the field.’”” (13)

FACTUAL BACKGROUND

Wamsley was hired by the Bedford County Juvenile Detention Center on April 10, 2023, while serving in the National Guard, and he informed the Center that he would need leave for drills and training. During a two-week training period beginning June 15, 2023, he fell approximately six feet, was taken to an emergency room, and informed his supervisor of the injury. Bedford County required a doctor's note before his return and terminated him on July 7, 2023. The evidentiary disputes concerned photographs and records relating to the injury, proposed lay testimony from Wamsley's mother and fiancée, and evidence concerning four prior county termination decisions.

PROCEDURAL HISTORY

Wamsley brought claims for discrimination, retaliation, and failure to reemploy under 38 U.S.C. §§ 4311 and 4312. During pretrial proceedings, Bedford County filed four motions in limine, and the parties briefed them. The court denied the first and third motions, granted the second, and granted the fourth in part while reserving ruling as to two proposed comparators.

DISPOSITION

other

CASES CITED

- Louzon v. Ford Motor Co., 718 F.3d 556, 561 (6th Cir. 2013)
- Sperberg v. Goodyear Tire & Rubber Co., 519 F.2d 708, 712 (6th Cir. 1975)
- Ind. Ins. Co. v. Gen. Elec. Co., 326 F. Supp. 2d 844, 846 (N.D. Ohio 2004)
- Bell v. Prefix, Inc., No. 05-74311, 2009 U.S. Dist. LEXIS 101889, at *3 (E.D. Mich. Nov. 2, 2009)
- Clark v. Louisville-Jefferson Cnty. Metro Gov't, No. 3:17-CV-00419-GNS-CHL, 2025 U.S. Dist. LEXIS 259653, at *4 (W.D. Ky. Dec. 16, 2025)
- Cambio Health Sols., LLC v. Reardon, 234 F. App'x 331, 338 (6th Cir. 2007)
- Dortch v. Fowler, 588 F.3d 396, 401 (6th Cir. 2009)
- Daubert v. Merrell Dow Pharms., Inc., 509 U.S. 579, 596 (1993)
- Rock v. Arkansas, 483 U.S. 44, 61 (1987)
- United States v. Shrock, 855 F.2d 327, 335 (6th Cir. 1988)
- Sommer v. Davis, 317 F.3d 686, 692 (6th Cir. 2003)
- Howe v. City of Akron, 801 F.3d 718, 747-48 (6th Cir. 2015)
- Russell v. Absolute Collection Servs., Inc., 763 F.3d 385, 396-97 (4th Cir. 2014)
- R.C. Olmstead, Inc. v. CU Interface, LLC, 606 F.3d 262, 272 (6th Cir. 2010)
- Bisig v. Time Warner Cable, Inc., 940 F.3d 205, 219-20 (6th Cir. 2019)
- Borg v. Chase Manhattan Bank USA, N.A., 247 F. App'x 627, 637 (6th Cir. 2007)
- Vance by & Through Hammons v. United States, No. 98-5488, 1999 U.S. App. LEXIS 14943, at *15-17 (6th Cir. June 25, 1999)
- RJ Control Consultants, Inc. v. Multiject, LLC, 100 F.4th 659, 669 (6th Cir. 2024)

- *EQT Prod. Co. v. Magnum Hunter Prod., Inc.*, No. 5:16-cv-150-JMH-REW, 2017 U.S. Dist. LEXIS 80288, at *12-14 (E.D. Ky. May 25, 2017)
- *Olmstead v. Fentress Cnty.*, No. 2:16-cv-00046, 2019 U.S. Dist. LEXIS 24356, at *18 (M.D. Tenn. Feb. 14, 2019)
- *Stanley v. FCA U.S., LLC*, 51 F.4th 215, 221 (6th Cir. 2022)
- *Williams v. Hamilton Cnty.*, Case No. 1:15-cv-74, 2018 U.S. Dist. LEXIS 55239, at *3-4 (E.D. Tenn. Mar. 31, 2018)
- *McDonald v. City of Memphis*, No. 2:12-cv-2511, 2016 U.S. Dist. LEXIS 193726, at *5, *14 n.6 (W.D. Tenn. Aug. 26, 2016)
- *Hornback v. Czartorski*, No. 3:20-cv-703-RGJ, 2022 U.S. Dist. LEXIS 166699, at *4 (W.D. Ky. Sept. 14, 2022)
- *Jama v. City of Memphis*, No. 03-2965 Ma/P, 2006 U.S. Dist. LEXIS 101675, at *7 (W.D. Tenn. Dec. 29, 2006)
- *United States v. White*, 492 F.3d 380, 401 (6th Cir. 2007)
- *State v. Brown*, 836 S.W.2d 530, 549 (Tenn. 1992)
- *Savage v. Fed. Express Corp.*, 856 F.3d 440, 451 (6th Cir. 2017)
- *Bobo v. United Parcel Serv., Inc.*, 665 F.3d 741, 754 (6th Cir. 2012)
- *McDole v. City of Saginaw*, 07-13697-BC, 2009 U.S. Dist. LEXIS 109494, at *18 (E.D. Mich. Nov. 24, 2009)