

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA, EASTERN DIVISION

Marcus E. Morris v. Town of Scotland Neck, North Carolina

Morris · No. 4:24-CV-166-BO-KS · Decided February 23, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina denied the Town of Scotland Neck’s motion for judgment on the pleadings. The court held that the plaintiff plausibly stated claims under 42 U.S.C. § 1981, Title VII retaliation, and North Carolina wrongful-discharge law based on alleged race discrimination, retaliation, and termination. The court also concluded that the police chief could plausibly be considered a final policymaker for municipal-liability purposes.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina, Eastern Division
WRITING FOR THE COURT	Terrence W. Boyle
JURISDICTION	United States District Court for the Eastern District of North Carolina, Eastern Division
DECIDED	February 23, 2026
DOCKET	4:24-CV-166-BO-KS
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c) against plaintiff's amended complaint asserting racial discrimination and retaliation claims and state-law wrongful-discharge claims.
STANDARD OF REVIEW	The court applied the Federal Rule of Civil Procedure 12(b)(6) plausibility standard to the Rule 12(c) motion. Judgment on the pleadings is proper only when no material issue of fact remains and the moving party is entitled to judgment as a matter of law.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motion for judgment on the pleadings
- employment discrimination
- title vii
- section 1983
- civil procedure

PRACTICE AREAS

civil rights

employment law

municipal liability

civil procedure

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged municipal liability under 42 U.S.C. § 1981, through 42 U.S.C. § 1983, based on the police chief's alleged final policymaking authority over promotion procedures.
2. Whether the amended complaint plausibly alleged Title VII retaliation by alleging protected opposition to race discrimination, an adverse employment action, and causation.
3. Whether the amended complaint stated a North Carolina wrongful-discharge claim notwithstanding the Town's argument that the allegations described constructive discharge.

HOLDINGS

1. The amended complaint plausibly alleged that the police chief possessed final policymaking authority concerning the procedures for selecting promotion or employment-eligible candidates and therefore plausibly stated a municipal-liability claim based on the alleged racially discriminatory failure to promote and employment interference.
2. The amended complaint plausibly stated a Title VII retaliation claim by alleging that Morris opposed race discrimination at a town council meeting, was thereafter terminated, and was terminated because of that protected opposition.
3. The amended complaint stated a wrongful-discharge claim because it alleged that Morris was actually terminated, rather than merely constructively discharged.

KEY QUOTATIONS

“Judgment on the pleadings is not properly granted unless the moving party has clearly established that no material issue of fact remains to be resolved and the party is entitled to judgment as a matter of law.”

“Liability is limited, however, and is not available on a respondeat superior theory.”

“The distinction drawn in Greensboro Pro. Fire Fighters Ass’n between final policymaking authority and mere decision-making authority is inapplicable in cases like this one, where the Police Chief’s power to establish procedures for making appointments was not subject to any parameters.”

“An employee engages in protected activity under both Title VII and 42 U.S.C. § 1981 when they oppose conduct that they reasonably believe constitutes race discrimination.”

FACTUAL BACKGROUND

Marcus Morris, an African American police officer employed by the Town of Scotland Neck, applied for a sergeant position but allegedly was not given his examination results or a formal interview. The police chief allegedly told a white part-time officer that Morris would not receive the position and that the Town needed to make the decision appear unrelated to race, while also using racial epithets. Morris further alleged disparate

treatment, retaliation after complaining about departmental misconduct and discrimination, termination before the end of his notice period, unpaid hours, and false disciplinary reports that interfered with subsequent employment.

PROCEDURAL HISTORY

Marcus Morris filed an amended complaint against the Town of Scotland Neck alleging claims under 42 U.S.C. §§ 1981 and 1983, Title VII retaliation, and North Carolina law. The Town moved for judgment on the pleadings, plaintiff responded, and the court held a hearing on August 26, 2025. The court denied the motion, concluding that the amended complaint plausibly stated each challenged claim.

DISPOSITION

other

CASES CITED

- Mayfield v. National Association for Stock Car Auto Racing, Inc., 674 F.3d 369, 375 (4th Cir. 2012)
- United States v. Any & All Radio Station Transmission Equipment, 207 F.3d 458, 462 (8th Cir. 2000)
- Monell v. Department of Social Services, 436 U.S. 658, 690-94 (1978)
- Milligan v. City of Newport News, 743 F.2d 227, 229 (4th Cir. 1984)
- Lytle v. Doyle, 326 F.3d 463, 471 (4th Cir. 2003)
- Nance v. City of Albemarle, 520 F. Supp. 3d 758, 776 (M.D.N.C. 2021)
- City of St. Louis v. Praprotnik, 485 U.S. 112, 124, 126 (1988)
- Alexander v. City of Greensboro, 762 F. Supp. 2d 764, 783 (M.D.N.C. 2011)
- Riddick v. School Board, 238 F.3d 518, 523-24 (4th Cir. 2000)
- Greensboro Professional Fire Fighters Ass'n, Local 3157 v. City of Greensboro, 64 F.3d 962, 965-66 (4th Cir. 1995)
- Hunter v. Town of Mocksville, 897 F.3d 538, 558-59 (4th Cir. 2018)
- Nadendla v. WakeMed, 24 F.4th 299, 305 (4th Cir. 2022)
- Boyer-Liberto v. Fontainebleau Corp., 786 F.3d 264, 271 (4th Cir. 2015)
- Crawford v. Metropolitan Government of Nashville & Davidson County, 555 U.S. 271, 276 (2009)