

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Mackey v. Utah Military Academy

Mackey · No. 2:24-CV-197-DAK-JCB · Decided February 23, 2026

SUMMARY

The United States District Court for the District of Utah grants Utah Military Academy’s motion for summary judgment in Stuart Mackey’s action alleging disability discrimination and failure to accommodate under the Americans with Disabilities Act. The court concludes that Mackey failed to establish an ADA-qualifying disability, that he was regarded as disabled, that he was qualified to perform the essential functions of his position, or that he requested an accommodation based on a disability. The court also finds no evidence that the stated reason for his termination was pretextual.

CASE DETAILS

|                       |                                                                                                                                                                                                                                            |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Utah                                                                                                                                                                                      |
| WRITING FOR THE COURT | Dale A. Kimball                                                                                                                                                                                                                            |
| JURISDICTION          | United States District Court for the District of Utah                                                                                                                                                                                      |
| DECIDED               | February 23, 2026                                                                                                                                                                                                                          |
| DOCKET                | 2:24-CV-197-DAK-JCB                                                                                                                                                                                                                        |
| DISPOSITION           | other                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Defendant moved for summary judgment on the plaintiff’s claims for disability discrimination and failure to accommodate under the Americans with Disabilities Act.                                                                         |
| STANDARD OF REVIEW    | Summary judgment is appropriate when the moving party is entitled to judgment as a matter of law and no genuine dispute of material fact exists. The court evaluated the ADA claims under the McDonnell Douglas burden-shifting framework. |
| PRECEDENTIAL VALUE    | unpublished, nonprecedential district court memorandum decision                                                                                                                                                                            |
| PARTIES               | Stuart Mackey v. Utah Military Academy                                                                                                                                                                                                     |

TOPICS

- ada / disability
- disability discrimination
- reasonable accommodation
- employment law
- employment at-will

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether Mackey established that he had a disability under the ADA through an actual impairment, a record of impairment, or being regarded as impaired.
2. Whether Mackey was qualified to perform the essential functions of his military-instructor position, with or without reasonable accommodation.
3. Whether Mackey presented evidence that UMA terminated him because of his alleged disability.
4. Whether Mackey requested a reasonable accommodation based on a disclosed disability and resulting limitations.
5. Whether UMA was entitled to summary judgment on Mackey's ADA discrimination and failure-to-accommodate claims.

## HOLDINGS

1. Mackey failed to establish an actual impairment because he offered only a PTSD diagnosis and limited lay testimony, without medical evidence or expert testimony showing that PTSD substantially limited a major life activity.
2. Mackey failed to establish a record of impairment because his alleged limitation concerned working with one supervisor rather than a broad class of jobs or a broad limitation on the major life activity of working.
3. Mackey failed to establish that UMA regarded him as disabled because the decisionmaker, Schino, did not know of his PTSD, and the evidence concerning Superintendent Orris did not show awareness of a qualifying, nontransitory, nonminor impairment.
4. Mackey failed to show that he was qualified to perform the essential functions of his job, with or without reasonable accommodation.
5. Mackey failed to present affirmative evidence that his alleged disability was a determining factor in his termination.
6. Mackey failed to establish a failure-to-accommodate claim because he did not inform UMA of a disability and resulting limitations or request an accommodation based on those limitations.
7. UMA was entitled to summary judgment because Mackey failed to establish a prima facie case of ADA discrimination or failure to accommodate.

## KEY QUOTATIONS

*“The court concludes that Mackey has failed to establish a prima facie case of either ADA discrimination or failure to accommodate.”* (at 13)

*“Accordingly, the court grants UMA’s Motion for Summary Judgment.”* (at 14)

## FACTUAL BACKGROUND

Mackey worked as a military instructor at Utah Military Academy and had been diagnosed with PTSD by the Veterans' Administration before his employment. He did not seek treatment, did not request an accommodation when hired, and did not identify symptoms or limitations to the decisionmaker, Principal Joe Schino. After multiple incidents of unprofessional conduct and alleged mistreatment of students and coworkers, Mackey was placed on administrative leave following a parent complaint and was terminated after yelling at his wife, UMA's human-resources officer. Mackey alleged that UMA discriminated against him and failed to accommodate him by refusing to separate him from Schino.

## PROCEDURAL HISTORY

Stuart Mackey filed suit against Utah Military Academy alleging ADA disability discrimination and failure to accommodate based on PTSD. The district court held a hearing on UMA's motion for summary judgment, took the motion under advisement, and granted summary judgment for UMA after concluding that Mackey failed to establish a prima facie case on either ADA claim.

## DISPOSITION

other

## CASES CITED

- EEOC v. C.R. England, Inc., 644 F.3d 1028, 1038 (10th Cir. 2011)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792, 802-05 (1973)
- Zwygart v. Board of County Commissioners, 483 F.3d 1086, 1090-92 (10th Cir. 2007)
- Lincoln v. BNSF Railway Co., 900 F.3d 1166, 1204 (10th Cir. 2018)
- Neri v. Board of Education for Albuquerque Public Schools, 860 F. App'x 556, 561-62 (10th Cir. 2021)
- Brown v. Southern Utah University, No. 2:08-CV-542-TC, 2010 WL 1417861, at \*6 (D. Utah Apr. 6, 2010)
- Clancy v. Miller, 837 F. App'x 630, 635-36 (10th Cir. 2020)
- Weiler v. Household Finance Corp., 101 F.3d 519, 524 (7th Cir. 1996)
- Steele v. Thiokol Corp., 241 F.3d 1248, 1255 (10th Cir. 2001)
- Adair v. City of Muskogee, 823 F.3d 1297, 1306-07 (10th Cir. 2016)
- Gavurnik v. Home Properties, LP, 227 F. Supp. 3d 410, 419 (E.D. Pa.)
- Kelly v. Drexel University, 94 F.3d 102, 109 (3d Cir. 1996)
- Morgan v. Hilti, Inc., 108 F.3d 1319, 1323 (10th Cir. 1997)
- Ewing v. Doubletree DTWC, LLC, 673 F. App'x 808, 810 (10th Cir. 2016)
- Ainsworth v. Independent School District No. 3 of Tulsa County, Oklahoma, 232 F. App'x 765, 771 (10th Cir. 2007)
- Smith v. Midland Brake, Inc., 180 F.3d 1154, 1171 (10th Cir. 1999)
- Edmonds-Radford v. Southwest Airlines Co., 17 F.4th 975, 992 (10th Cir. 2021)

