

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO

Thalia Kiesha Jasmine Thompson v. Fuyao Glass America

Thompson v. Fuyao Glass America · No. 3:25-cv-259 · Decided January 20, 2026

SUMMARY

The United States District Court for the Southern District of Ohio granted Plaintiff Thalia Kiesha Jasmine Thompson leave to file a sur-reply and granted Defendant Fuyao Glass America’s motion to dismiss. The court held that the complaint failed to plausibly allege the asserted employment-discrimination, hostile-work-environment, retaliation, and wrongful-termination claims or establish subject-matter jurisdiction, but granted Plaintiff 28 days to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio
WRITING FOR THE COURT	Walter H. Rice
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	January 20, 2026
DOCKET	3:25-cv-259
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss the pro se employment-related complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Plaintiff opposed the motion and sought leave to file a sur-reply. The court allowed the sur-reply, granted the motion to dismiss, and gave Plaintiff 28 days to file an amended complaint.
STANDARD OF REVIEW	For a facial Rule 12(b)(1) challenge and a Rule 12(b)(6) motion, the court accepted well-pleaded factual allegations as true, construed the complaint in the light most favorable to Plaintiff, and drew reasonable inferences in her favor. The complaint had to contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Thalia Kiesha Jasmine Thompson v. Fuyao Glass America

TOPICS

motions to dismiss

subject matter jurisdiction

employment discrimination

hostile work environment

civil procedure

PRACTICE AREAS

civil procedure

employment law

civil rights

QUESTIONS PRESENTED

1. Whether the complaint adequately alleged facts plausibly stating claims for wrongful termination, ethnic or racial discrimination, gender discrimination, hostile work environment, or retaliation under Rule 12(b)(6).
2. Whether the complaint adequately established subject matter jurisdiction under 28 U.S.C. §§ 1331, 1343(3), or 1332(a)(1).
3. Whether Plaintiff should be allowed to file a sur-reply.
4. Whether dismissal should be without prejudice and accompanied by leave to amend.

HOLDINGS

1. The complaint failed to state a claim under Rule 12(b)(6) because its allegations of wrongful termination, discrimination, hostile work environment, and related misconduct were conclusory and lacked factual allegations plausibly supporting entitlement to relief.
2. The complaint did not adequately establish subject matter jurisdiction under 28 U.S.C. §§ 1331, 1343(3), or 1332(a)(1), warranting dismissal under Rule 12(b)(1).
3. Plaintiff's motion for leave to file a sur-reply was granted, and the court considered the proposed sur-reply.
4. Dismissal was without prejudice, and Plaintiff was granted 28 days to file an amended complaint consistent with Rule 11 and the court's opinion.

KEY QUOTATIONS

“The purpose of a Rule 12(b)(6) motion to dismiss “is to allow a defendant to test whether, as a matter of law, the plaintiff is entitled to legal relief even if everything alleged in the complaint is true.””

“To survive a Rule 12(b)(6) motion to dismiss, the complaint must contain “enough facts to state a claim to relief that is plausible on its face.””

“Although this standard does not require “detailed factual allegations,” it does require more than “labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.””

“A challenge to the subject matter jurisdiction of the United States District Court under Rule 12(b)(1) of the Federal Rules of Civil Procedure may either be facial or factual.”

“Pro se filings are “to be liberally construed,” and “a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.””

FACTUAL BACKGROUND

Thalia Thompson was employed by Fuyao Glass America until her termination on November 13, 2023. Her complaint alleged wrongful termination, discrimination based on ethnic background and gender, a hostile work environment, and retaliation or targeting after she raised concerns with management and employee relations. The complaint stated these claims largely in conclusory terms and did not describe specific conduct supporting the asserted claims or facts establishing federal-question, diversity, or state-action jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed the action on July 30, 2025, initially seeking to proceed in forma pauperis. After the court denied in forma pauperis status, Plaintiff paid the filing fee and the complaint was docketed on October 15, 2025. Defendant moved to dismiss on November 26, 2025, arguing that Plaintiff failed to adequately plead subject matter jurisdiction and claims upon which relief could be granted. The court dismissed the complaint without prejudice and permitted an amended complaint within 28 days.

DISPOSITION

dismissed

CASES CITED

- *DirecTV, Inc. v. Treesh*, 487 F.3d 471, 476 (6th Cir. 2007)
- *Carver v. Bunch*, 946 F.2d 451, 454-55 (6th Cir. 1991)
- *Mayer v. Mylod*, 988 F.2d 635, 638 (6th Cir. 1993)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)
- *Watson Carpet & Floor Covering, Inc. v. Mohawk Industries*, 648 F.3d 452, 458 (6th Cir. 2011)
- *Carrier Corp. v. Outokumpu Oyj*, 673 F.3d 430, 440 (6th Cir. 2012)
- *RMI Titanium Co. v. Westinghouse Electric Corp.*, 78 F.3d 1125, 1134 (6th Cir. 1996)
- *Lockhart v. Garzella*, No. 3:19-cv-405, 2022 WL 1046766, at *5 (S.D. Ohio Apr. 7, 2022)
- *Garner v. Fuyao Glass America*, No. 3:21-cv-51, 2023 WL 7018791 (S.D. Ohio Oct. 20, 2023)
- *Garner v. Fuyao Glass America, Inc.*, No. 23-3960, 2024 WL 832772 (6th Cir. Feb. 20, 2024)
- *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam)
- *Frengler v. General Motors*, 482 F. App'x 975, 976-77 (6th Cir. 2012)
- *Bates v. Green Farms Condominium Association*, 958 F.3d 470, 483 (6th Cir. 2020)