

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY

Stephen R. McPherson v. Amazon.com Services, LLC

Stephen R. McPherson v. Amazon.com Services, LLC · No. 3:24-cv-00602-RGJ · Decided March 31, 2026

SUMMARY

The United States District Court for the Western District of Kentucky granted Amazon.com Services, LLC's motion for judgment on the pleadings in Stephen R. McPherson's pro se action alleging workplace harassment. The court held that the claim, construed under KRS 446.070 and KRS 525.070(1)(e), was time-barred under Kentucky's one-year limitations period for personal injury claims and alternatively failed to plausibly allege the requisite intent or lack of legitimate purpose. The court denied McPherson's motion to compel discovery as moot and ordered the case closed.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky
WRITING FOR THE COURT	Rebecca Grady Jennings
JURISDICTION	United States District Court for the Western District of Kentucky, Louisville Division
DECIDED	March 31, 2026
DOCKET	3:24-cv-00602-RGJ
DISPOSITION	affirmed
PROCEDURAL POSTURE	Motion for judgment on the pleadings by defendant; motion to compel discovery by plaintiff.
STANDARD OF REVIEW	Same standard as Rule 12(b)(6); all well-pleaded material allegations taken as true; motion granted only if moving party clearly entitled to judgment.
PRECEDENTIAL VALUE	unpublished

TOPICS

- motion for judgment on the pleadings
- statute of limitations
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- employment law

QUESTIONS PRESENTED

1. Whether plaintiff's harassment claim under KRS 446.070 and KRS 525.070(1)(e) is time-barred under the one-year statute of limitations for personal injury claims.
2. Whether plaintiff's complaint states a plausible claim for harassment under KRS 446.070 and KRS 525.070(1)(e).

HOLDINGS

1. The essence of plaintiff's allegations is bodily injury, making his claim essentially a common law personal injury claim subject to the one-year statute of limitations under KRS 413.140(1)(a).
2. Plaintiff fails to state a claim because he does not plausibly allege that Amazon acted with intent to harass or that Amazon's actions served no legitimate purpose.

KEY QUOTATIONS

"McPherson merely alleges that Amazon subjected him to disciplinary processes for failing to meet expected productivity requirements, and that Amazon provided him training to improve productivity."

"These allegations are not enough to 'raise a right to relief above the speculative level.'"

FACTUAL BACKGROUND

Plaintiff, a registered sex offender, was hired by Amazon as an outbound picker. After management discovered his status, he alleges Amazon created a hostile environment through physical and verbal harassment, overworking him to force resignation. He received write-ups for low productivity, suffered physical pain in feet, back, and hands, and eventually stopped working after his third write-up on January 19, 2023.

PROCEDURAL HISTORY

Pro se plaintiff filed complaint alleging wrongful termination and harassment. Court performed initial review under 28 U.S.C. § 1915(e)(2)(B), dismissed some claims but allowed harassment claim under KRS 446.070 and KRS 525.070(1)(e) to proceed. Defendant moved for judgment on the pleadings; plaintiff responded and moved to compel discovery.

DISPOSITION

affirmed

CASES CITED

- Albrecht v. Treon, 617 F.3d 890 (6th Cir. 2010)
- JPMorgan Chase Bank, N.A. v. Winget, 510 F.3d 577 (6th Cir. 2007)
- Mixon v. Ohio, 193 F.3d 389 (6th Cir. 1999)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Haines v. Kerner, 404 U.S. 519 (1972)

- Pilgrim v. Littlefield, 92 F.3d 413 (6th Cir. 1996)
- Powers v. Kentucky Farm Bureau Mut. Ins. Co., 694 S.W.3d 361 (Ky. 2024)
- Craft v. Rice, 671 S.W.2d 247 (Ky. 1984)
- Pike v. Harold (Chubby) Baird Gate Co., 705 S.W.2d 947 (Ky. App. 1986)
- Hickey v. Gen. Elec. Co., 539 S.W.3d 19 (Ky. 2018)
- Vanhook v. Somerset Health Facilities, LP, 67 F. Supp. 3d 810 (E.D. Ky. 2014)
- Stovall v. KY120 United AFT, No. 2024-CA-0627-MR, 2025 WL 2942203 (Ky. App. Oct. 17, 2025)
- Toche v. American Watercraft, 176 S.W.3d 694 (Ky. App. 2005)
- Childers v. Geile, 367 S.W.3d 576 (Ky. 2012)
- Montell v. Diversified Clinical Servs. Inc., 969 F. Supp. 2d 798 (E.D. Ky. 2013)
- Hart v. Commonwealth, 768 S.W.2d 552 (Ky. App. 1989)
- Boswell v. United States, No. CV 7:23-66-KKC, 2025 WL 898307 (E.D. Ky. Mar. 24, 2025)
- Hinton v. Am. Airlines, Inc., No. 3:23-CV-00271-GNS, 2024 WL 102218 (W.D. Ky. Jan. 9, 2024)
- Humphrey v. U.S. Att'y Gen.'s Off., 279 F. App'x 328 (6th Cir. 2008)