

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Gregory Lawson v. The Kansas City Southern Railway Company

Lawson · No. 4:25CV661 HEA · Decided March 26, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri granted the defendant’s partial motion to dismiss negligence claims arising from a train-vehicle collision to the extent those claims were preempted by the Federal Railroad Safety Act and the Locomotive Inspection Act. After dismissing the federal-question claims, the court granted the plaintiff’s motion to remand the remaining state-law claims to state court.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	March 26, 2026
DOCKET	4:25CV661 HEA
DISPOSITION	other
PROCEDURAL POSTURE	After removal from Missouri state court, Defendant moved to dismiss portions of Plaintiff's negligence petition as preempted by federal railroad-safety laws, and Plaintiff moved to remand the remaining state-law claims.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court tests the legal sufficiency of the pleading, accepts well-pleaded factual allegations as true, draws reasonable inferences in the nonmovant's favor, and disregards legal conclusions. On remand, the removing party bears the burden of establishing federal jurisdiction, and doubts are resolved in favor of remand.
PRECEDENTIAL VALUE	unknown

TOPICS

- motions to dismiss
- subject matter jurisdiction
- civil procedure
- negligence
- federalism

PRACTICE AREAS

civil procedure

railroad law

torts

QUESTIONS PRESENTED

1. Whether portions of Plaintiff's negligence claims concerning locomotive horn use, track inspection and lookout, vegetation and obstructions, and locomotive inspection and maintenance were preempted by the Federal Railroad Safety Act or the Locomotive Inspection Act.
2. Whether Plaintiff's claims under 625 ILCS 5/18c-7401 should be dismissed because the statute does not confer a private right of action or was inadequately pleaded.
3. Whether removal was proper under federal-question jurisdiction based on the federally preempted claims.
4. Whether the remaining state-law claims should be remanded after dismissal of all claims supporting federal-question jurisdiction.

HOLDINGS

1. The claim that Defendant failed to sound the train whistle was preempted by the Federal Railroad Safety Act and its implementing regulations governing locomotive horn use at public highway-rail crossings.
2. The claim that Defendant failed to keep a constant and vigilant lookout and properly inspect the track was preempted by FRSA regulations governing the frequency and manner of track inspections.
3. The claim concerning vegetation and obstructions immediately on or adjacent to the railroad track was preempted by 49 C.F.R. § 213.37.
4. The claim that Defendant failed to inspect and maintain its train engines was preempted by the Locomotive Inspection Act.
5. After dismissal of the claims giving rise to federal-question jurisdiction, the court remanded the remaining state-law claims.

KEY QUOTATIONS

“With no surviving claims giving rise to federal question jurisdiction, the Court determines that it is appropriate to remand Plaintiff’s remaining state law claims.”

FACTUAL BACKGROUND

On June 29, 2015, Gregory Lawson was driving across Defendant's railroad tracks on County Road 460 East in Hillview, Illinois, when a train owned and operated by Defendant struck his vehicle. Lawson alleged that Defendant failed to sound the whistle, maintain a proper lookout, control the train, apply emergency brakes, maintain the crossing and right-of-way, remove vegetation and obstructions, inspect and maintain the locomotive, and provide adequate warnings. The petition invoked federal railroad regulations and several Illinois statutes in describing the alleged negligence.

PROCEDURAL HISTORY

Plaintiff filed the action in the Circuit Court for St. Louis County, Missouri. Defendant removed the case based on federal-question jurisdiction under 28 U.S.C. § 1331, then moved for partial dismissal. Plaintiff moved to remand, and the district court granted both motions, dismissing the preempted claims and remanding the remaining state-law claims.

DISPOSITION

other

REMAND INSTRUCTIONS

An appropriate order of remand is to be entered for Plaintiff's remaining state-law claims.

CASES CITED

- Ford v. R.J. Reynolds Tobacco Co., 553 F. Supp. 3d 693, 697 (E.D. Mo. 2021)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Delker v. MasterCard International, 21 F.4th 1019, 1024 (8th Cir. 2022)
- Brokken v. Hennepin County, 140 F.4th 445, 450 (8th Cir. 2025)
- Jones v. City of St. Louis, 104 F.4th 1043, 1046 (8th Cir. 2024)
- Kulkay v. Roy, 847 F.3d 637, 641 (8th Cir. 2017)
- Braden v. Wal-Mart Stores, Inc., 588 F.3d 585, 594 (8th Cir. 2009)
- In re Prempro Products Liability Litigation, 591 F.3d 613, 619-20 (8th Cir. 2010)
- Kellum v. Glister-Mary Lee Corp. Group Health Benefit Plan, 115 F.4th 849, 852-53 (8th Cir. 2024)
- Lopez v. Three Rivers Electric Cooperative, Inc., 26 S.W.3d 151, 155 (Mo. 2000) (en banc)
- Hoover's Dairy, Inc. v. Mid-Am. Dairymen, Inc./Special Products, Inc., 700 S.W.2d 426, 431 (Mo. 1985) (en banc)
- CSX Transportation, Inc. v. Easterwood, 507 U.S. 658, 664 (1993)
- Norfolk Southern Railway Co. v. Shanklin, 529 U.S. 344, 352 (2000)
- Thiele v. Norfolk & Western Railway Co., 68 F.3d 179, 182 (7th Cir. 1995)
- In re Derailment Cases, 416 F.3d 787 (8th Cir. 2005)
- Federal Insurance Co. v. Burlington Northern and Santa Fe Railway Co., 270 F. Supp. 2d 1183, 1188 (C.D. Cal. 2003)
- Williams v. Amtrak National Railroad Passenger Corp., No. 4:04-CV-4021-DGW, 2006 WL 3431781, at *2 (S.D. Ill. Nov. 29, 2006)
- Napier v. Atlantic Coast Line Railroad Co., 272 U.S. 605, 611, 613 (1926)
- Malone v. White Motor Corp., 435 U.S. 497, 504 (1978)
- Kurns v. Railroad Friction Products Corp., 565 U.S. 625, 637 (2012)
- BNSF Railway Co. v. Seats, Inc., 900 F.3d 545, 547 (8th Cir. 2018)

- Ali v. Ramsdell, 423 F.3d 810, 812 (8th Cir. 2005)

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