

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Khirey Lewis v. Didlake, Inc.

Lewis v. Didlake · No. Civil Action No. DKC 25-1015 · Decided January 29, 2026

SUMMARY

The United States District Court for the District of Maryland granted Didlake, Inc.’s motion to dismiss a pro se plaintiff’s claims under the Americans with Disabilities Act and for intentional infliction of emotional distress. The court held that the complaint did not plausibly allege failure to accommodate, hostile work environment, or wrongful termination, and that the alleged conduct did not support an emotional-distress tort claim. The court also denied leave to amend because the plaintiff did not properly move to amend or provide a proposed amended complaint.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Deborah K. Chasanow
JURISDICTION	United States District Court for the District of Maryland
DECIDED	January 29, 2026
DOCKET	Civil Action No. DKC 25-1015
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's ADA and intentional-infliction-of-emotional-distress claims. Plaintiff opposed dismissal and alternatively requested leave to amend.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court tests the sufficiency of the complaint, accepts well-pleaded factual allegations as true, construes facts in the plaintiff's favor, and determines whether the complaint states a facially plausible claim for relief. The court may consider the complaint and documents attached to it. Leave to amend may be denied when amendment would be prejudicial, undertaken in bad faith, futile, or otherwise procedurally deficient.
PRECEDENTIAL VALUE	district court opinion; precedential status unknown
PARTIES	Khirey Lewis v. Didlake, Inc.

TOPICS

motions to dismiss

ada discrimination

disability discrimination

wrongful termination

motion to amend

PRACTICE AREAS

employment law

civil rights

disability discrimination

civil procedure

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated an ADA failure-to-accommodate claim.
2. Whether the complaint plausibly stated an ADA hostile-work-environment claim.
3. Whether the complaint plausibly stated an ADA wrongful-termination claim.
4. Whether the complaint plausibly stated a Maryland intentional-infliction-of-emotional-distress claim.
5. Whether Lewis should be granted leave to amend when he made only a bare request in a response and did not identify proposed amendments or provide a proposed amended complaint.

HOLDINGS

1. The complaint failed to state an ADA failure-to-accommodate claim because it did not allege that Didlake refused a reasonable accommodation that would have enabled Lewis to perform the essential functions of his position.
2. The complaint failed to state an ADA hostile-work-environment claim because it did not allege harassment sufficiently severe or pervasive to alter a term, condition, or privilege of employment, or facts establishing a basis to impute the coworkers' conduct to Didlake.
3. The complaint failed to state an ADA wrongful-termination claim because it did not allege that Lewis was meeting Didlake's legitimate expectations when discharged or that the circumstances raised a reasonable inference of unlawful disability discrimination.
4. The complaint failed to state a Maryland intentional-infliction-of-emotional-distress claim because it alleged no intentional or reckless conduct that was extreme or outrageous.
5. The court denied leave to amend because Lewis made only a bare request in his opposition, identified no proposed amendments, and did not provide a proposed amended complaint as required by the local rules.

KEY QUOTATIONS

"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that defendant is liable for the misconduct alleged." (at 4)

"A hostile [work] environment exists '[w]hen the workplace is permeated with discriminatory intimidation, ridicule, and insult that is sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment.'" (at 10)

"Firing an employee for cause, without more, does not rise to the level of "extreme or outrageous."" (at 15)

FACTUAL BACKGROUND

Lewis, who has an intellectual disability, worked for Didlake for approximately six years with support from vocational and disability-services programs. He alleged that coworkers harassed and mocked his disability and that he was terminated after telling coworkers to leave him alone or he would "swing" in response to conduct he characterized as workplace bullying. Didlake's termination letter stated that Lewis violated workplace standards-of-conduct and workplace-violence policies. The complaint also alleged that, after termination, Lewis experienced emotional distress and lacked assistance in pursuing unemployment benefits or appealing his termination.

PROCEDURAL HISTORY

Lewis filed suit in the District Court of Maryland for Prince George's County on February 19, 2025. Didlake removed the action to the United States District Court for the District of Maryland under 28 U.S.C. § 1331 and moved to dismiss. After briefing and several extensions of time, the court granted the motion to dismiss and denied Lewis's request for leave to amend.

DISPOSITION

dismissed

CASES CITED

- Presley v. City of Charlottesville, 464 F.3d 480, 483 (4th Cir. 2006)
- Barnett v. Inova Health Care Servs., 125 F.4th 465, 469 (4th Cir. 2025)
- Barbour v. Garland, 105 F.4th 579, 589 (4th Cir. 2024)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Mays v. Sprinkle, 992 F.3d 295, 299-300 (4th Cir. 2021)
- CACI Int'l, Inc. v. St. Paul Fire & Marine Ins. Co., 566 F.3d 150, 154 (4th Cir. 2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1277-78 (4th Cir. 1985)
- Gagnon v. Bd. of Educ., 760 F. Supp. 3d 359, 371, 374 (D. Md. 2024)
- Wilson v. Dollar General Corp., 717 F.3d 337, 345 (4th Cir. 2013)
- EEOC v. Mfrs. & Traders Tr. Co., 429 F. Supp. 3d 89, 103 (D. Md. 2019)
- Fox v. Gen. Motors Corp., 247 F.3d 169, 177 (4th Cir. 2001)
- Boyer-Liberto v. Fontainebleau Corp., 786 F.3d 264, 277 (4th Cir. 2015)
- Harris v. Forklift Sys., Inc., 510 U.S. 17, 21 (1993)
- Anderson v. Sch. Bd., 2020 WL 2832475, at *23 (E.D. Va. May 29, 2020)
- EEOC v. Sunbelt Rentals, Inc., 521 F.3d 306, 315-16, 319 (4th Cir. 2008)
- Howard v. Winter, 446 F.3d 559, 565 (4th Cir. 2006)
- Rohan v. Networks Presentations LLC, 375 F.3d 266, 273 n.9 (4th Cir. 2004)

- *Haulbrook v. Michelin N. Am., Inc.*, 252 F.3d 696, 702 (4th Cir. 2001)
- *Wilson v. Montgomery Cnty. Bd. of Trs.*, 2018 WL 4300498, at *6 (D. Md. Sept. 10, 2018)
- *Burnett v. BJ's Wholesale Club*, 722 F. Supp. 3d 566, 576 (D. Md. 2024)
- *Nicholson v. Balt. Police Dep't*, 2023 WL 4549741, at *10 (D. Md. July 14, 2023)
- *Caldor, Inc. v. Bowden*, 330 Md. 632, 641-42 (1993)
- *McPherson v. Balt. Police Dep't*, 494 F. Supp. 3d 269, 286 (D. Md. 2020)
- *Ky. Fried Chicken Nat'l Mgmt. Co. v. Weathersby*, 326 Md. 663, 670 (1992)
- *Preston v. Good Samaritan Hosp. of Md., Inc.*, 2008 WL 11509473, at *3 (D. Md. Sept. 18, 2008)
- *Cozzarelli v. Inspire Pharms. Inc.*, 549 F.3d 618, 630-31 (4th Cir. 2008)
- *U.S. ex rel. Williams v. Martin-Baker Aircraft Co.*, 389 F.3d 1251, 1259 (D.C. Cir. 2004)
- *Osei v. Univ. of Md. Univ. Coll.*, 2018 WL 2117927, at *3 (D. Md. May 8, 2018)
- *Estrella v. Wells Fargo Bank, N.A.*, 497 F. App'x 361, 362 (4th Cir. 2012)
- *Miller v. Butler*, 2019 WL 2410937, at *1 n.1 (D. Md. June 7, 2019)
- *Witherspoon v. Jeffords Agency, Inc.*, 88 F. App'x 659, 2004 WL 370230, at *1 (4th Cir. 2004)
- *Pridgen v. Andresen*, 113 F.3d 391, 393 (2d Cir. 1997)
- *Wojcicki v. SCANA/SCE&G*, 947 F.3d 240, 244 (4th Cir. 2020)