

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Kyomi Baker v. TransAm Trucking, Inc.

Baker · No. 25-2666-JWB · Decided April 15, 2026

SUMMARY

The United States District Court for the District of Kansas grants TransAm Trucking, Inc.’s motion to dismiss Kyomi Baker’s Title VII claims for race discrimination, sex discrimination, and retaliation. The court concludes that Baker filed her EEOC charge outside the 300-day limitations period, finds no basis for equitable tolling, and dismisses the claims with prejudice.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Broomes
JURISDICTION	United States District Court for the District of Kansas
DECIDED	April 15, 2026
DOCKET	25-2666-JWB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss Plaintiff's Title VII race-discrimination, sex-discrimination, and retaliation claims under Rule 12(b)(6) for failure to timely exhaust administrative remedies.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the complaint must contain sufficient factual allegations to state a facially plausible claim for relief. Well-pleaded facts and reasonable inferences are viewed in the plaintiff's favor, but conclusory allegations are disregarded. Documents central to the claim and referenced in the complaint may be considered when their authenticity is undisputed.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court memorandum and order

TOPICS

- title vii
- employment discrimination
- retaliation
- motions to dismiss
- civil procedure

PRACTICE AREAS

- employment law
- civil rights
- civil procedure

QUESTIONS PRESENTED

1. Whether the court could consider the EEOC charge and related correspondence attached to and referenced in the complaint when deciding the Rule 12(b)(6) motion.
2. Whether Plaintiff's Title VII claims were barred by her failure to file an EEOC charge within the applicable 300-day period.
3. Whether equitable tolling excused the untimely EEOC charge.
4. Whether dismissal should be with prejudice because refiling an EEOC charge would be futile.

HOLDINGS

1. The court may consider a document central to the plaintiff's claim and referred to in the complaint when the document's authenticity is not disputed, including Plaintiff's EEOC charge and attached correspondence.
2. A Title VII plaintiff in the applicable filing period must file a charge with the EEOC within 300 days after the alleged unlawful employment practice occurs; Plaintiff's charge filed 327 days after her termination was untimely.
3. Equitable tolling is available in limited circumstances but did not apply because Plaintiff failed to allege or demonstrate that Defendant or the EEOC lulled her into inaction through active deception or other qualifying conduct.
4. Dismissal with prejudice was appropriate because Plaintiff's claims were time-barred and any attempt to file a new EEOC charge would be futile.

KEY QUOTATIONS

“Litigants who seek to raise Title VII claims must exhaust those claims with the Equal Opportunity Commission (“EEOC”) prior to filing a lawsuit in federal court.” (III)

“Accordingly, Plaintiff’s charge was untimely, there are no grounds for equitable tolling of the deadline, and her claims must be dismissed for failure to exhaust.” (III)

“Therefore, the court’s dismissal is with prejudice.” (IV)

FACTUAL BACKGROUND

Kyomi Baker worked for TransAm Trucking as a spotter beginning in October 2022 and alleged that she experienced workplace stress, hostile treatment, discriminatory treatment, and retaliation. She alleged that male employees received overtime and advancement opportunities denied to her, and that she was disciplined and terminated after reporting workplace incidents. Baker's termination occurred on or about March 5, 2023, while the EEOC charge attached to her complaint was dated January 26, 2024, 327 days later. The court found that Baker had not shown employer or EEOC conduct warranting equitable tolling.

PROCEDURAL HISTORY

Plaintiff filed suit on November 12, 2025, alleging race discrimination, sex discrimination, and retaliation under Title VII. Defendant moved to dismiss the complaint based principally on Plaintiff's failure to file a timely charge with the EEOC. The court considered the charge and related correspondence attached to the complaint, granted the motion, and dismissed the claims with prejudice because refiling an EEOC charge would be futile.

DISPOSITION

dismissed

CASES CITED

- Robbins v. Oklahoma, 519 F.3d 1242, 1247 (10th Cir. 2008)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544 (2007)
- Archuleta v. Wagner, 523 F.3d 1278, 1283 (10th Cir. 2008)
- Shero v. City of Grove, Okla., 510 F.3d 1196, 1200 (10th Cir. 2007)
- Garrett v. Selby Connor Maddux & Janer, 425 F.3d 836, 840 (10th Cir. 2005)
- Aramburu v. Boeing Co., 112 F.3d 1398, 1409 (10th Cir. 1997)
- National R.R. Passenger Corp. v. Morgan, 536 U.S. 101, 104-05 (2002)
- Al-Ali v. Salt Lake Cmty. College, 269 F. App'x 842, 847 (10th Cir. 2008)
- Montoya v. Chao, 296 F.3d 952, 957-58 (10th Cir. 2002)
- Hulsey v. Kmart, Inc., 43 F.3d 555, 557 (10th Cir. 1994)
- Utah Gospel Mission v. Salt Lake City Corp., 425 F.3d 1249, 1253-54 (10th Cir. 2005)
- Fort Bend Cty., Texas v. Davis, 587 U.S. 541, 543-44 (2019)
- Clark v. 10 Rds. Express, L.L.C., No. 22-CV-2365-EFM, 2023 WL 2868168, at *2 (D. Kan. Apr. 10, 2023)
- Kincaid v. Unified School Dist. No. 500, Kansas City, Kansas, 572 F. Supp. 3d 1081, 1096-97 (D. Kan. 2021)
- Irwin v. Dep't of Veterans Aff., 498 U.S. 89, 96 (1990)
- Liggins v. G.A. & F.C. Wagman, Inc., No. 18-CV-72, 2019 WL 4039637, at *3 (W.D. Va. Aug. 27, 2019)
- Lebron-Rios v. United States Marshal Serv., 341 F.3d 7, 14-15 (1st Cir. 2003)
- Robinette v. Union Hosp., No. 17-3471, 2018 WL 2106403, at *2 (6th Cir. Mar. 22, 2018)
- Williams v. West, 135 F.3d 128 (5th Cir. 1998)

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