

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, SOUTHERN DIVISION

Andre Justin Allen Mahone v. Wayne Sanderson Farms, LLC

Mahone · No. 1:25-cv-127-RAH-CWB · Decided December 9, 2025

SUMMARY

The United States District Court for the Middle District of Alabama reviewed objections to a magistrate judge’s recommendation concerning claims arising from employment with Wayne Sanderson Farms, LLC. The court overruled the objections, adopted the recommendation, granted the defendant’s motion to dismiss, and dismissed the action in its entirety. The dismissed claims included Title VII retaliation and sex discrimination, ADA retaliation, civil RICO, and 42 U.S.C. § 1983 claims.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Southern Division
JURISDICTION	United States District Court for the Middle District of Alabama, Southern Division
DECIDED	December 9, 2025
DOCKET	1:25-cv-127-RAH-CWB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed de novo the disputed portions of a magistrate judge's recommendation granting Defendant's motion to dismiss after Plaintiff filed objections.
STANDARD OF REVIEW	The district court reviews disputed portions of a magistrate judge's recommendation de novo when objections are sufficiently specific; otherwise, review is for clear error. Arguments raised for the first time in objections may be considered within the district court's discretion.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

- motions to dismiss
- title vii
- retaliation
- ada / disability
- section 1983

PRACTICE AREAS

- employment law
- civil rights
- civil procedure
- disability discrimination
- Title VII

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly pleaded Title VII retaliation based primarily on the temporal gap between protected activity and the alleged failure to rehire.
2. Whether the amended complaint plausibly pleaded Title VII sex discrimination based on the alleged denial of rehire.
3. Whether the amended complaint plausibly pleaded ADA retaliation.
4. Whether the amended complaint satisfied Rule 9(b) and otherwise stated a civil RICO claim under 18 U.S.C. § 1962(c).
5. Whether the amended complaint plausibly alleged that the private defendant acted under color of state law or conspired with state officials for purposes of 42 U.S.C. § 1983.
6. Whether Plaintiff should receive leave to file a second amended complaint.

HOLDINGS

1. The amended complaint failed to plausibly plead causation for Title VII retaliation because the alleged protected activity occurred between 2018 and 2022, while the failure to rehire occurred in July 2024, and Plaintiff alleged no other evidence of retaliatory motive.
2. The amended complaint failed to plausibly plead a Title VII sex-discrimination claim because it did not allege the qualifications for the positions, that Plaintiff met those qualifications, or that an equally or less qualified person outside his protected class was considered or hired.
3. The amended complaint failed to plausibly plead ADA retaliation because the alleged failure to rehire in July 2024 was too remote from the protected activity, which occurred no later than 2022, and no additional causation evidence was alleged.
4. The amended complaint failed to state a civil RICO claim because its allegations were conclusory, did not satisfy Rule 9(b)'s heightened pleading requirements, and did not plausibly allege the elements of a § 1962(c) claim.
5. The amended complaint failed to state a § 1983 claim because it did not allege that Wayne Sanderson Farms, LLC acted under color of state law or conspired with state officials.
6. Leave to amend was denied because Plaintiff had already amended once, the amended complaint remained deficient, Plaintiff did not attach a proposed second amended complaint, and the court could not see how another amendment would cure the defects.

KEY QUOTATIONS

“To establish a prima facie case of retaliation under Title VII, a plaintiff must show that (1) he engaged in statutorily protected expression; (2) he suffered an adverse employment action; and (3) there is some causal relation between the two events.”

“As such, without more, Plaintiff has not sufficiently pleaded a “casual relation between the two events.””

“Only in rare circumstances can a private party be reviewed as a state actor for section 1983 purposes.”

FACTUAL BACKGROUND

Mahone alleged that he experienced discrimination, retaliation, and termination during his employment with Wayne Sanderson Farms, LLC between 2018 and 2022. He further alleged that the company denied him rehire in July 2024 because of his prior protected activity, sex, and ADA-related activity. He also asserted RICO and § 1983 claims based on alleged document falsification, wire fraud, obstruction of administrative proceedings, and other conduct.

PROCEDURAL HISTORY

Mahone filed an amended complaint asserting Title VII, ADA, RICO, and 42 U.S.C. § 1983 claims arising from his employment and alleged failure to rehire. Defendant moved to dismiss. The magistrate judge recommended granting the motion, Plaintiff objected, Defendant responded, and Plaintiff replied. The district court overruled the objections, adopted and affirmed the recommendation, granted the motion to dismiss, denied leave to amend, and dismissed the action in its entirety.

DISPOSITION

dismissed

CASES CITED

- Jeffrey S. ex rel. Ernest S. v. State Board of Education, 896 F.2d 507, 513 (11th Cir. 1990)
- United States v. Gopie, 347 F. App'x 495, 499 n.1 (11th Cir. 2009)
- Macort v. Prem, Inc., 208 F. App'x 781, 783-85 (11th Cir. 2006)
- Stephens v. Tolbert, 471 F.3d 1173, 1176 (11th Cir. 2006)
- United States v. Holstick, 810 F. App'x 732, 735 (11th Cir. 2020)
- McMillian v. Postmaster Gen., U.S. Postal Serv., 634 F. App'x 274, 277 (11th Cir. 2015)
- Pennington v. City of Huntsville, 261 F.3d 1262, 1266 (11th Cir. 2001)
- Thomas v. Cooper Lighting, Inc., 506 F.3d 1361, 1364 (11th Cir. 2007)
- Clark County School District v. Breeden, 532 U.S. 268, 273 (2001)
- Wascura v. City of South Miami, 257 F.3d 1238, 1248 (11th Cir. 2001)
- Gilliam v. U.S. Department of Veterans Affairs, 822 F. App'x 985, 990 (11th Cir. 2020)
- Brown v. Alabama Department of Transportation, 597 F.3d 1160, 1182 (11th Cir. 2010)
- Newport News Shipbuilding & Dry Dock Co. v. EEOC, 462 U.S. 669, 682 (1983)
- Underwood v. Perry County Commission, 431 F.3d 788, 794 (11th Cir. 2005)
- Hopkins v. Saint Lucie County School Board, 399 F. App'x 563, 566 (11th Cir. 2010)
- Williams v. Motorola, Inc., 303 F.3d 1284, 1291-92 (11th Cir. 2002)
- Farley v. Nationwide Mutual Insurance Co., 197 F.3d 1322, 1336 (11th Cir. 1999)
- Omnipol, A.S. v. Multinational Defense Services, LLC, 32 F.4th 1298, 1309 (11th Cir. 2022)
- Ambrosia Coal & Construction Co. v. Page Morales, 482 F.3d 1309, 1316-17 (11th Cir. 2007)

- West v. Atkins, 487 U.S. 42, 48 (1988)
- Focus on the Family v. Pinellas Suncoast Transit Authority, 344 F.3d 1263, 1277 (11th Cir. 2003)
- Harvey v. Harvey, 949 F.2d 1127, 1130 (11th Cir. 1992)
- Wellington v. Royal Caribbean Cruises, Ltd., 511 F. App'x 974, 976 (11th Cir. 2013)
- Kadivar v. Stone, 804 F.2d 635, 637 (11th Cir. 1986)

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