

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Professor Russell Stewart v. Timothy Walz, Governor of the State of Minnesota, in his official capacity; Patricia Rogers, President of Lake Superior College, in her official capacity; Linda S. Kingston, Vice President of Academic and Student Affairs at Lake Superior College, in her official capacity; Jestina Vichorek, Director of Human Resources at Lake Superior College, in her official capacity; Nickoel Anderson, Vice President of Administration at Lake Superior College, in her official capacity

Stewart v. Walz · No. No. 25-cv-1330 (KMM/LIB) · Decided December 1, 2025

SUMMARY

The United States District Court for the District of Minnesota ruled on defendants’ motion to dismiss Professor Russell Stewart’s constitutional claims arising from his termination for refusing to comply with a COVID-19 vaccination-or-testing policy. The court dismissed his due process, equal protection, and unconstitutional-conditions claims, but allowed his First Amendment retaliation claim against Lake Superior College officials to proceed. Governor Timothy Walz was dismissed as a defendant.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Katherine Menendez
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 1, 2025
DOCKET	No. 25-cv-1330 (KMM/LIB)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought constitutional claims under 42 U.S.C. § 1983 challenging a state-employee COVID-19 vaccination-or-testing policy and his termination. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	The court applied the Rule 12(b)(6) plausibility standard, accepting well-pleaded factual allegations as true and drawing reasonable

inferences in plaintiff's favor, while disregarding conclusory allegations and legal conclusions.

PRECEDENTIAL VALUE

unpublished district court order

TOPICS

first amendment

retaliation

employment law

substantive due process

civil procedure

PRACTICE AREAS

constitutional law

civil rights

employment law

health law

civil procedure

QUESTIONS PRESENTED

1. Whether Stewart's equal protection claim plausibly challenged a policy that required onsite state employees to vaccinate against COVID-19 or undergo weekly testing.
2. Whether the vaccination-or-testing policy violated Stewart's substantive due process rights by infringing a fundamental right to refuse medical treatment, vaccination, or testing.
3. Whether Stewart plausibly alleged that his email criticizing the policy and public officials was protected speech and a substantial or motivating factor in his termination, supporting a First Amendment retaliation claim.
4. Whether Stewart stated a First Amendment unconstitutional-conditions claim.
5. Whether Governor Walz was a proper defendant after the equal protection and due process claims against him were dismissed.

HOLDINGS

1. The policy satisfied rational basis review because requiring onsite state employees to vaccinate or undergo regular testing was rationally related to the legitimate state interest in preventing the spread of COVID-19. Stewart's equal protection claim was dismissed.
2. The policy was subject to rational basis review because Stewart did not plausibly allege infringement of a fundamental right. The policy readily satisfied rational basis review, and his substantive due process claim was dismissed.
3. Stewart plausibly alleged a First Amendment retaliation claim. His email criticizing the COVID-19 policy and public officials concerned a matter of public concern, and the complaint plausibly alleged that the email was a substantial or motivating factor in his termination.
4. Stewart failed to state an unconstitutional-conditions claim because he did not allege that defendants conditioned a government benefit, including employment, on surrendering his free-speech rights. That claim was dismissed.
5. Governor Walz was removed as a defendant because the only claims asserted against him were the equal protection and substantive due process claims, both of which were dismissed.

KEY QUOTATIONS

“To survive a motion to dismiss, “a complaint must contain sufficient factual allegations to state a claim to relief that is plausible on its face.”” (Discussion § I)

“Criticism of public officials and the administration of governmental policies “lies at the heart of” such protected speech.” (Discussion § IV)

FACTUAL BACKGROUND

Stewart had been employed as a tenured professor at Lake Superior College since 1992. In 2021, Minnesota required onsite state employees either to provide proof of COVID-19 vaccination or undergo weekly testing; Stewart refused both compliance and proposed privacy and testing accommodations. After being placed on unpaid leave, Stewart emailed his students criticizing the policy and Governor Walz, and the College later cited both his noncompliance and the email in disciplinary proceedings and his proposed discharge. His dismissal was upheld.

PROCEDURAL HISTORY

Russell Stewart, a tenured public-college professor, was placed on unpaid leave and later terminated after refusing to comply with a policy requiring vaccination or weekly COVID-19 testing. He filed this action alleging due process, equal protection, First Amendment retaliation, and unconstitutional-conditions claims. The district court denied the motion to dismiss the First Amendment retaliation claim, dismissed the remaining claims, and removed Governor Walz as a defendant.

DISPOSITION

other

CASES CITED

- *Smithrud v. City of St. Paul*, 746 F.3d 391, 397 (8th Cir.)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Cole v. Group Health Plan, Inc.*, 105 F.4th 1110, 1113 (8th Cir. 2024)
- *Ingram v. Arkansas Department of Corrections*, 91 F.4th 924, 927 (8th Cir. 2024)
- *Glick v. West Power Sports, Inc.*, 944 F.3d 714, 717 (8th Cir. 2019)
- *Porous Media Corp. v. Pall Corp.*, 186 F.3d 1077, 1079 (8th Cir. 1999)
- *Mattes v. ABC Plastics, Inc.*, 323 F.3d 695, 697 n.4 (8th Cir. 2003)
- *Hughes v. City of Cedar Rapids*, 840 F.3d 987, 996 (8th Cir. 2016)
- *Exec. Air Taxi Corp. v. City of Bismarck*, 518 F.3d 562, 566 (8th Cir. 2008)
- *Vacco v. Quill*, 521 U.S. 793, 799 (1997)
- *Danker v. City of Council Bluffs*, 53 F.4th 420, 423 (8th Cir. 2022)
- *FCC v. Beach Communications, Inc.*, 508 U.S. 307, 314-15 (1993)

- Let Them Play MN v. Walz, 556 F. Supp. 3d 968, 980-81 (D. Minn. 2021)
- Roman Catholic Diocese of Brooklyn v. Cuomo, 592 U.S. 14, 18 (2022)
- Washington v. Glucksberg, 521 U.S. 702, 720-23 (1997)
- Karsjens v. Piper, 845 F.3d 394, 407 (8th Cir. 2017)
- Reno v. Flores, 507 U.S. 292, 302 (1993)
- Jacobson v. Massachusetts, 197 U.S. 11, 13-14, 26-28 (1905)
- We the Patriots USA, Inc. v. Connecticut Office of Early Childhood Development, 76 F.4th 130, 156 (2d Cir. 2023)
- Plyler v. Doe, 457 U.S. 202, 223 (1982)
- Children's Health Defense, Inc. v. Rutgers, the State University of New Jersey, 93 F.4th 66, 78 (3d Cir. 2024)
- Curtis v. Inslee, 154 F.4th 678, 691 (9th Cir. 2025)
- Heights Apartments, LLC v. Walz, 30 F.4th 720, 726-27 (8th Cir. 2022)
- Noon v. City of Platte Woods, 94 F.4th 759, 764 (8th Cir.)
- Henry v. Johnson, 950 F.3d 1005, 1011 (8th Cir. 2020)
- Mayfield v. Missouri House of Representatives, 122 F.4th 1046, 1053 (8th Cir. 2024)
- Williams v. City of Carl Junction, 480 F.3d 871, 874 (8th Cir. 2007)
- Norgren v. Minnesota Department of Human Services, 96 F.4th 1048, 1057 (8th Cir. 2024)
- Arkansas Times LP v. Waldrip, 37 F.4th 1386, 1391 (8th Cir. 2022)
- Perry v. Sindermann, 408 U.S. 593, 597 (1972)
- Dolan v. City of Tigard, 512 U.S. 374, 385 (1994)
- Kentucky v. Graham, 473 U.S. 159, 166 n.11 (1985)

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