

United States Court of Appeals
For the Eighth Circuit

No. 17-1110

Lateshia Patillo

Plaintiff - Appellant

v.

Sysco Foods of Arkansas LLC

Defendant - Appellee

Equal Employment Opportunity Commission

Amicus on Behalf of Appellant

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: November 16, 2017

Filed: December 6, 2017

[Unpublished]

Before SHEPHERD, MURPHY, and KELLY, Circuit Judges.

PER CURIAM.

Lateshia Patillo appeals the district court's order dismissing her employment-discrimination action, for failure to exhaust administrative remedies. Upon de novo review, see Blakley v. Schlumberger Tech. Corp., 648 F.3d 921, 931 (8th Cir. 2011), we vacate the dismissal order and remand the case to the district court. The court is instructed to reconsider the issues in this case, including whether an intake questionnaire Patillo filed with the Equal Employment Opportunity Commission constituted a valid administrative charge of discrimination, in light of Supreme Court precedent including Fed. Express Corp. v. Holowecki, 552 U.S. 389 (2008), and Edelman v. Lynchburg Coll., 535 U.S. 106 (2002).
