

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

BRIAN KEITH THORNTON,

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Plaintiff,

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vs.

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CASE NO. 3:17-CV-112 (CDL)

UNITED GOVERNMENT OF ATHENS-  
CLARKE COUNTY, GEORGIA, *et al.*,

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Defendants.

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O R D E R

Plaintiff Brian Keith Thornton, who is proceeding *pro se*, asserts employment discrimination claims against his former employer and several former supervisors and colleagues. Thornton claims that he was discriminated against because of his race and that he was retaliated against for complaining of racial discrimination. Thornton brought this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* Compl. § II, ECF No. 1. The individual Defendants are Erin Carlton, Gary Duck, Lisa Ward, Jeff Hale, Jameson Goolsby, Hollis Terry, Glenn Coleman, Michelle Castleberry, and Frank Stephens. These individual Defendants filed a motion to dismiss (ECF No. 9). “[R]elief under Title VII is available against only the employer and not against individual employees whose actions would constitute a violation of the Act,” and Thornton did not allege any facts to show that the individual Defendants

meet the definition of "employer" under Title VII. *Dearth v. Collins*, 441 F.3d 931, 933 (11th Cir. 2006) (per curiam). Accordingly, the individual Defendants' motion to dismiss is granted. Thornton's claims against the Unified Government of Athens-Clarke County remain pending.

IT IS SO ORDERED, this 13<sup>th</sup> day of December, 2017.

S/Clay D. Land

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CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA