

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-CV-232-GCM

JACKALIN S. WILLIAMS)
)
Plaintiff,)
)
v.)
)
CAROLINAS HEALTHCARE SYSTEM,)
SUSANNE THOMASON, ANGELA)
HUMPHREY, and SHERRY LAURENT)
)
Defendants.)
_____)

THIS MATTER is before the Court on a Motion to Dismiss by Defendants Susanne Thomason, Angela Humphrey, and Sherry Laurent. For reasons given below, Defendants’ Motion is **GRANTED**.

BACKGROUND

Ms. Williams brings a Title VII¹ race discrimination suit against Carolinas Healthcare System (“CMS”) and CMS employees, Susanne Thomason, Angela Humphrey, and Sherry Laurent. Ms. Williams only named CMS in her Equal Employment Opportunity Commission Charge (“EEOC”) charge. Ms. Williams is a *pro se* plaintiff and in response to this Motion to Dismiss, Ms. Williams largely reiterated the allegations in her complaint.

DISCUSSION

This Motion is granted for the following two reasons: (1) Under Title VII, Defendants Thomason, Humphrey and Laurent cannot be held liable as supervisors, and (2) Defendants Thomason, Humphrey, and Laurent were not named in the EEOC charge.

First, “supervisors are not liable in their individual capacities for Title VII violations.” *Lissau v. Southern Food Service, Inc.*, 159 F.3d 177, 280 (4th Cir. 1998). Ms. Williams has failed to allege, with good reason, that Defendants Thomason, Humphrey and Laurent were her employers. Thomason, Humphrey and Laurent were Ms. Williams supervisors and therefore cannot be liable under Title VII. *See Lissau*, 159 F.3d at 280.

¹ Title VII of the Civil Rights Act prohibits an employer from discriminating against an employee on the basis of race. 42 U.S.C. 2000e-2(a).

Second, even if Defendants Thomason, Humphrey and Laurent could be held liable, in this case, they were not named in the EEOC charge and therefore cannot be named as defendants in this district court action. *See Causey v. Balog*, 162 F.3d 795, 800 (4th Cir. 1998) (“Under Title VII. . . a civil action may be brought only against the respondent named in the charge.”).

Defendants Thomason, Humphrey and Laurent is hereby **GRANTED**.

SO ORDERED.

Signed: August 25, 2010

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

