

United States Court of Appeals
For the Eighth Circuit

No. 23-2649

Johnathon Watkins

Plaintiff - Appellant

v.

Smithfield Packaged Meats Corp.; Beekam; Dusan

Defendants - Appellees

Appeal from United States District Court
for the District of South Dakota - Southern

Submitted: August 10, 2023

Filed: August 24, 2023

[Unpublished]

Before GRUENDER, ERICKSON, and KOBES, Circuit Judges.

PER CURIAM.

Johnathon Watkins appeals the preservice dismissal of his employment-related action against his former employer, Smithfield Packaged Meats Corp. (Smithfield),

and two co-workers. The district court¹ construed Watkins's complaint as raising claims under Title VII. The court dismissed without prejudice the complaint as to Smithfield for failure to exhaust administrative remedies, and dismissed with prejudice the complaint as to the co-workers, reasoning that Title VII does not impose liability on individuals.

We conclude that the district court did not err in dismissing the complaint as to Smithfield, as the complaint made no allegations concerning exhaustion of administrative remedies. *See Miles v. Bellfontaine Habilitation Ctr.*, 481 F.3d 1106, 1107 (8th Cir. 2007) (per curiam) (noting that a Title VII plaintiff must exhaust administrative remedies before bringing suit and that Miles had adequately alleged exhaustion by stating she had filed a charge with the Equal Employment Opportunity Commission and by attaching her right-to-sue letter to her complaint); *Brooks v. Midwest Heart Grp.*, 655 F.3d 796, 801 (8th Cir. 2011) (“[T]he statement in Brooks’s complaint that she ‘timely filed charges of Employment Discrimination before the US EEOC’ was sufficient to meet the liberal pleading standard of Rule 8(a).”). We likewise agree with the district court that dismissal of the individual defendants was warranted. *See Powell v. Yellow Book USA, Inc.*, 445 F.3d 1074, 1079 (8th Cir. 2006).

Accordingly, we affirm the judgment of the district court.

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.