

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

TAMARA K. WEST,)
Plaintiff,)
v.) Case No. 1:15-cv-00821-TWP-TAB
MV TRANSPORTATION, INC.,)
BILLY GRICE, JAMIE NIEVES, and)
AMY HOCKMAN.)
Defendants.)

ENTRY ON PENDING MATTERS

Amended Complaint

On April 1, 2016, this Court granted *pro se* Plaintiff leave to file an amended complaint in which Plaintiff was directed to name the correct defendant in this action (Filing No. 23). In response, on April 29, 2016, Plaintiff filed a document titled Motion to Amend Employment Discrimination Complaint (Filing No. 25). Plaintiff was not required to move to file an amended complaint as that request had already been granted. In reality, Filing No. 25 is an amended complaint, and the Court will treat it as such.

The Clerk is directed to terminate the Motion to Amend Employment Discrimination and re-docket Filing No. 25 as Plaintiff's Amended Complaint, filed as of the date of this Entry.

Screening

Because she is proceeding *in forma pauperis*, the Amended Complaint is subject to screening pursuant to 28 U.S.C. § 1915(e)(2). This statute directs that the Court dismiss a complaint or any claim within a complaint that "(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune

from such relief.” *Id.* “A complaint is subject to dismissal for failure to state a claim if the allegations, taken as true, show the plaintiff is not entitled to relief.” *Jones v. Bock*, 549 U.S. 199, 215 (2007).

The claims against defendants Billy Grice, Paula Haskin, Amy Hockman, and Jaime Nieves, were previously dismissed because Title VII does not recognize actions against individual supervisors or co-workers. *Gastineau v. Fleet Mortgage Corp.*, 137 F.3d 490 (7th Cir. 1998); *Geier v Medtronic, Inc.*, 99 F.3d 238, 244 (7th Cir. 1996); *Williams v. Banning*, 72 F.3d 552, 555 (7th Cir. 1995). The claims against these individual defendants appear to be nearly identical to those in the original Complaint. Therefore, the Court again dismisses defendants Billy Grice, Paula Haskin, Amy Hockman, and Jaime Nieves because the sole proper defendant in this type of claim is the Plaintiff’s former employer, now identified as MV Transportation, Inc.

If not previously accomplished, Plaintiff is to effectuate service of the summons and the Amended Complaint on the sole defendant, MV Transportation, Inc.

SO ORDERED.

Date: 5/5/2016



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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