United States Court of Appeals
For the Eighth Circuit

No. 24-1393

Sharmarke Y. Abdi

Plaintiff - Appellant

v.

Hennepin County

Defendant - Appellee

United States

Amicus on Behalf of Appellant(s)

Appeal from United States District Court
for the District of Minnesota

Submitted: October 18, 2024
Filed: October 30, 2024
[Unpublished]

Before SHEPHERD, KELLY, and STRAS, Circuit Judges.

PER CURIAM.

Sharmarke Abdi appeals the district court's order dismissing his employment-related action for failure to exhaust administrative remedies as to some claims and failure to plead an adverse employment action as to the remaining claims.

Upon de novo review, we conclude the district court did not err in dismissing the claims it correctly determined were unexhausted. See J.M. v. Francis Howell Sch. Dist., 850 F.3d 944, 947 (8th Cir. 2017) (standard of review); Bailey v. USPS, 208 F.3d 652, 654 (8th Cir. 2000) (requiring exhaustion of administrative remedies before employee may bring Title VII claims); Weatherly v. Ford Motor Co., 994 F.3d 940, 944-46 (8th Cir. 2021) (requiring exhaustion of administrative remedies before employee may bring ADA claims). As to the dismissal of the remaining claims, see Cook v. George's, Inc., 952 F.3d 935, 938 (8th Cir. 2020) (standard of review), we conclude further consideration of the issues is necessary, including as to whether Abdi pleaded facts suggesting he suffered an adverse employment action under the standards discussed in Muldrow v. City of St. Louis, 601 U.S. 346 (2024), and Burlington N. & Santa Fe Ry. Co. v. White, 548 U.S. 53 (2006).

Accordingly, we affirm the dismissal of the unexhausted claims, and otherwise vacate the dismissal order and remand the case to the district court. We also grant Hennepin County's motion to strike.
