

United States Court of Appeals
For the Eighth Circuit

No. 24-3217

Johnny Harris

Plaintiff - Appellant

v.

WEHCO Video; Lori Haight; Don Deem; Charlotte Dial; Paul Morbeck; Wehco
Media; Perry Whitmore; Elaine Burson; East Arkansas Video

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Delta

Submitted: July 31, 2025
Filed: August 28, 2025
[Unpublished]

Before SMITH, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Johnny Harris appeals the district court's adverse grant of summary judgment in his employment-related action. Having jurisdiction under 28 U.S.C. § 1291, this court affirms in part, reverses in part, and remands.

After careful de novo review of the record and the parties' arguments on appeal, this court concludes the district court properly granted summary judgment in favor of defendants as to Harris's claims related to his placement in probationary status. *See Schaffhauser v. United Parcel Serv., Inc.*, 794 F.3d 899, 902 (8th Cir. 2015) (standard of review). However, summary judgment was not proper as to Harris's claims related to his lack of access to the PipeDrive sales software because a genuine question of material fact remains as to whether defendants' explanation regarding the access issue was pretextual. *See Pilot v. Duffy*, 143 F.4th 924, 928–29 (8th Cir. 2025) (explaining employee's burden to create genuine questions of material fact whether employer's articulated reasons were pretext for discrimination or retaliation).

The judgment is reversed as to the claims related to Harris's lack of access to PipeDrive, and the case is remanded for further proceedings on those claims. The judgment is otherwise affirmed.
