

United States Court of Appeals
For the Eighth Circuit

No. 26-1310

Donald Stephens

Plaintiff - Appellant

v.

Harcros Chemicals, Inc; i3Logix Inc, (Originally named as Nationwide Medical Review)

Defendants - Appellees

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

Submitted: September 23, 2026
Filed: October 29, 2026

Before LOKEN, BENTON, and ERICKSON, Circuit Judges.

ERICKSON, Circuit Judge.

Donald Stephens (“Stephens”), an African American, sued Harcros Chemicals, Inc (“Harcros”) and i3Logix, Inc (“i3Logix”) for violations of his rights under the Americans with Disabilities Act (“ADA”), discrimination based on race under Title VII of the Civil Rights Act of 1964 and Arkansas Civil Rights Act of 1993 (“ACRA”), as well as a state law claim against i3Logix for negligence. The

district court¹ granted i3Logix's motion to dismiss, noting Stephens conceded his Title VII, ADA, and ACRA claims did not apply to i3Logix and finding Stephens failed to allege in his complaint racial animus to establish a claim under 42 U.S.C. § 1981. Because no federal cause of action remained against i3Logix, the district court declined to exercise supplemental jurisdiction over his state law negligence claim. As to Harcross, the district court granted judgment on the pleadings in favor of Harcross on the grounds that Stephens did not timely file his charge of discrimination with the Equal Employment Opportunity Commission ("EEOC") and the complaint did not contain any facts showing Harcross engaged in race discrimination. Stephens appeals, claiming the district court erred when it determined his EEOC charge was untimely and it abused its discretion when it declined to exercise supplemental jurisdiction over i3Logix's state law claim. We affirm.

I. BACKGROUND

Stephens is an Arkansas resident who applied to work at Harcross's Little Rock, Arkansas, facility as a warehouse driver. Harcross provided Stephens with a conditional offer of employment, which Harcross subsequently withdrew after i3Logix reported Stephens had a positive test result for "marijuana metabolite."

After learning of the test result, Stephens informed i3Logix and Harcross's hiring manager that he had not used marijuana but had consumed half of a CBD gummy for anxiety related to atrial fibrillation. Stephens alleges in his complaint he was qualified to be a commercial truck driver when Harcross extended the conditional employment offer. He further alleges, despite being told of his disability and his use of a hemp product (not marijuana), Harcross refused to consider whether the test result was a false positive for marijuana or if another medical reason could give rise to a false positive. Stephens further alleges Harcross did not respond to his email

¹The Honorable James. M. Moody Jr., United States District Judge for the Eastern District of Arkansas.

requesting Harcros initiate its process for returning to duty and never engaged in an interactive process to accommodate his disability, despite Stephens's request.

Harcros's headquarters are in Kansas City, Kansas. Two hundred and sixty-six days after Stephens learned Harcros had withdrawn his conditional job offer, Stephens submitted a charge for disability discrimination to the EEOC office in Kansas City, Kansas. The EEOC notified Stephens it was dismissing his charge and issuing him a right-to-sue letter. Stephens then filed this action in the Eastern District of Arkansas, which the district court dismissed. He appeals the dismissal of his claims against Harcros and i3Logix.

II. DISCUSSION

We review a district court's dismissal of a complaint *de novo*, accepting the factual allegations as true and granting all reasonable inferences in favor of the non-moving party. Cole v. Grp. Health Plan, Inc., 105 F.4th 1110, 1113 (8th Cir. 2024). When a court declines to exercise supplemental jurisdiction over a state law claim, we review that decision for abuse of discretion. Wanna v. RELX Grp., PLC, 142 F.4th 1102, 1105 (8th Cir. 2025).

A. Disability Discrimination Claim

To bring a claim of disability discrimination under the ADA, a plaintiff must first file a charge with the EEOC within 180 days, or 300 days if a state law agency also has authority to provide relief from the alleged conduct. See 42 U.S.C. § 12117(a); § 2000e-5(e)(1). Because Arkansas does not have a local agency with authority, a claim must be made within 180 days. See 29 C.F.R. § 1601.74 (2013).²

²This regulation was in effect in 2024 when Stephens filed his Charge of Discrimination. The regulation was repealed on July 16, 2026, and filing deadlines are now found on the EEOC's website. See Timeliness, EEOC, <https://www.eeoc.gov/field-office/littlerock/timeliness> (last visited Oct. 26, 2026).

In contrast, Kansas has an agency with authority, which means claims can be filed up to 300 days after the alleged discrimination occurs. See id.³

Stephens asserts the district court erred when it found Arkansas’s filing deadline applies in his situation. He contends Kansas’s 300-day limit applies because the decision to withdraw his conditional employment offer was made in Kansas. Stephens’s assertion is inconsistent with our precedent. Our court has previously held the start of the limitations period is triggered when “termination occurs,” which is when an employer notifies the employee of its termination decision. Hutson v. Wells Dairy, Inc., 578 F.3d 823, 826 (8th Cir. 2009). Since termination is effective upon notice to the employee, it follows that termination occurs where the employee is notified. See id. at 824, 826 (applying Nebraska law when the employee received notice of termination at the Omaha airport); see also Burns v. Union Pac. R.R., 564 F.2d 20, 21–22 (8th Cir. 1977) (per curiam) (holding a wrongful termination claim filed in Missouri was governed by Kansas law because Kansas was where the employment and termination occurred). Sound prudential reasons exist for using the site-of-the-notice test, as using the location of the decision to terminate could be susceptible to manipulation by employers. See, e.g., Morton v. ICI Acrylics, Inc., 69 F. Supp. 2d 1038, 1043 (W.D. Tenn. 1999); Hardin v. Oakley Transp., Inc., 773 F. Supp. 3d 1320, 1337–38 (M.D. Fla. 2025).

That Stephens applied for a job in Arkansas and was notified of the withdrawal of the job offer in Arkansas is undisputed. Under these circumstances, the district court did not err in applying Arkansas law. Because Stephens filed his EEOC charge more than 180 days after the termination occurred, the charge was untimely and his disability discrimination claim is subject to dismissal.

³See Timeliness, EEOC, <https://www.eeoc.gov/field-office/kansascity/timeliness> (last visited Oct. 26, 2026).

B. Racial Discrimination Claim

To state a claim for racial discrimination under Title VII and 42 U.S.C. § 1981, Stephens must allege: (1) he was a member of a protected class; (2) discriminatory intent by the defendants; (3) he engaged in protected conduct; and (4) the defendants interfered with that conduct. Yang v. Robert Half Int’l, Inc., 79 F.4th 949, 962, 964 (8th Cir. 2023). At the pleading stage, a plaintiff must plead sufficient factual allegations to plausibly support each element of a claim. Colson v. Hennepin Cnty., 169 F.4th 773, 777 (8th Cir. 2026). While a court must accept a complaint’s allegations as true, “[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009).

Stephens alleges in his complaint that Harcros discriminated against him “on the basis of his race when it failed to conduct a thorough investigation of his claim of a false-positive drug test and withdrew the offer of employment and hired a person outside of the protected class that was less qualified.” Stephens does not further elaborate on the individual purportedly hired by Harcros or provide other factual support for discriminatory intent. As for i3Logix, he alleges the company “intentionally misrepresented” his explanation that he used a hemp product that could have caused a false-positive for marijuana.

Stephens’s complaint contains conclusory statements and a “threadbare recitation” of the elements, which fails to satisfy the plausibility standard. Similarly, Stephens makes no mention of racial animus at all against i3Logix. The district court did not err in dismissing Stephens’s racial discrimination claim against Harcros and i3Logix.

C. Supplemental Jurisdiction

Generally, a district court will decline to exercise supplemental jurisdiction over a state law claim if all federal claims have been dismissed. Wanna, 142 F.4th

at 1107. Here, the district court dismissed all of Stephens’s federal claims and the only remaining claim was for negligence against i3Logix. Stephens has not articulated a basis to find the district court abused its discretion by declining to exercise supplemental jurisdiction over his negligence claim, and we can find no basis. See, e.g., Hunter v. Page Cnty., 102 F.4th 853, 872 (8th Cir. 2024).

III. CONCLUSION

For the foregoing reasons, we affirm the judgment of the district court.
