

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Anthony Lewis,

Plaintiff,

vs.

Case No. 14-2010-JTM

Frontier AG, Inc., *et al.*,

Defendants.

MEMORANDUM AND ORDER

Plaintiff Anthony Lewis brings this *pro se* action under Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act (ADEA), alleging discrimination by defendant Frontier AG, Inc., and two of its employees, Jeff McNeely and Tadd Bloom. The defendants have moved to dismiss the McNeely and Bloom from the action.

Lewis moved for an extension of time to respond to this motion, stating that he was “currently researching additional information.” (Dkt. 15, at 1). The court granted plaintiff until April 14, 2014 to present his response. (Dkt. 16).

Lewis has submitted no timely response. The defendants’ motion is granted both pursuant to D.Kan.R. 7.4, and for good cause shown. The action is dismissed as to

McNeeley and Bloom because Title VII and the ADEA authorize civil action against the employer, but do not create individual liability for supervisors or other employees. *See Haynes v. Williams*, 88 F.3d 898, 901 (10th Cir. 1996). In addition, any attempt to name McNeeley and Bloom as defendants in an official capacity are redundant, because Frontier is already a defendant in the action. *See Lewis v. 4B Corp.*, 2004 WL 1834641 (D. Kan. May 12, 2004).

IT IS ACCORDINGLY ORDERED this 17th day of April, 2014, that the defendants's Motion to Dismiss McNeely and Bloom (Dkt. 12) is granted.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE