

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>RICHARD GREENLEE,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CIVIL ACTION</b>
<b>v.</b>	)	
	)	<b>No. 15-9101-KHV</b>
<b>CHERY SISSON,</b>	)	
	)	
<b>Defendant.</b>	)	
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**MEMORANDUM AND ORDER**

On June 2, 2015, plaintiff filed suit against Chery Sisson,<sup>1</sup> the former Human Resources manager for Interim Healthcare of Kansas City, Inc. (“Interim Healthcare”). Plaintiff asserts that Sisson denied him employment with Interim Healthcare because of his race, religion, national origin, gender, age and disability in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C § 2000e et seq. (“Title VII”), the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621 et seq. (“ADEA”), and the Americans With Disabilities Act, 42 U.S.C. § 12101 et seq. (“ADA”). This matter is before the Court on the Motion Of Defendant Sherry Sisson To Dismiss Plaintiff’s Complaint For Failure To State A Claim (Doc. #23) filed January 4, 2016. For reasons stated below and for substantially the reason stated in the Memorandum In Support Of Motion Of Defendant Sherry Sisson To Dismiss Plaintiff’s Complaint For Failure To State A Claim (Doc. #24), the Court sustains defendant’s motion. Plaintiff filed an EEOC charge against Interim Healthcare, but he did not name any individual defendants as respondents. Here, plaintiff filed suit only against Sisson, the former Human Resources director of Interim Healthcare. Title VII, the ADEA and the ADA do not create individual liability for persons who are not “employers.” Haynes v. Williams, 88 F.3d 898 (10th Cir.

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<sup>1</sup> Defendant notes that her proper legal name is Sherry Sisson.

1996) (Title VII); Butler v. City of Prairie Village, 172 F.3d 736, 744 (10th Cir. 1999) (ADEA and ADA). Plaintiff has not alleged that Sisson is an “employer” or regulated entity for purposes of Title VII, the ADEA or the ADA. Therefore, the Court dismisses plaintiff’s complaint for failure to state a claim upon which relief can be granted against Sisson.

**IT IS THEREFORE ORDERED** that the Motion Of Defendant Sherry Sisson To Dismiss Plaintiff’s Complaint For Failure To State A Claim (Doc. #23) filed January 4, 2016 is **SUSTAINED**.

Dated this 23rd day of September, 2016 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge