

United States Court of Appeals for the Fifth Circuit

No. 24-20406
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 24, 2025

Lyle W. Cayce
Clerk

MARCUS A. WILLIAMS,

Plaintiff—Appellant,

versus

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, and EXPLOSIVES,

Defendant—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:23-CV-2593

Before HAYNES, HIGGINSON, and WILSON, *Circuit Judges*.

PER CURIAM:*

Marcus Williams, appearing pro se, alleges that he experienced racial discrimination while working at the Bureau of Alcohol, Tobacco, Firearms, and Explosives, in violation of Title VII of the Civil Rights Act of 1964. The district court twice dismissed Williams's complaint for failure to name the proper defendant. In its first dismissal, the district court granted Williams

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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leave to file an amended complaint that named “as Defendant the official head of the Agency or Department.” Williams’s amended complaint also failed to name the head of the Bureau,¹ so the district court dismissed the complaint without leave to amend.

Under 42 U.S.C. § 2000e-16(c), the only proper defendant in a federal employee’s employment discrimination claim is the head of the agency. *See, e.g., Hall v. Small Bus. Admin.*, 695 F.2d 175, 180 (5th Cir. 1983). Here, Williams failed to list the head of the Bureau as the defendant. Instead, he listed multiple other individuals, who appear to work at the Bureau, as interested parties. Because Williams failed to name the proper defendant, we AFFIRM the district court’s dismissal. *See Kasmatuka v. U.S. Dep’t of Homeland Sec.*, 7 F.4th 327, 331 (5th Cir. 2021).

¹ Williams’s amended complaint does not have a case caption, but the complaint lists the Bureau and the previously dismissed individuals as “[i]nvolved parties.” However, the filing does not list the head of the Bureau as an interested party.