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9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE EASTERN DISTRICT OF WASHINGTON**

11 MARILEE CASTILLO,

12 Plaintiff,

13 v.
14

15 GRANT TRANSIT AUTHORITY,
16 JOBETH CARLSON, JOHN/JANE
17 DOES I-V, individually

18 Defendants.
19

Case No.

COMPLAINT

20 **I. NATURE OF ACTION**

21 1.1 Plaintiff Marilee Castillo brings this civil action against Grant
22 Transit Authority (GTA), JoBeth Carlson, and John/Jane Does I-V, presently
23 unknown individuals, to redress their blatant violation of her First Amendment
24 rights. Defendants terminated Castillo from her position as Dispatch Support for
25 GTA because of her protected political speech regarding conservative activist
26 Charlie Kirk.
27

1 **II. JURISDICTION AND VENUE**

2 2.1 This Court has subject matter jurisdiction over Castillo’s 42 U.S.C.
3 § 1983 claim for violation of the U.S. Constitution pursuant to 28 U.S.C. § 1331
4 and 28 U.S.C. § 1343.

5 2.2 Venue properly rests with this Court pursuant to 28 U.S.C.
6 1391(b)(2).

7 **III. PARTIES**

8 3.1 Plaintiff Castillo is a citizen of the State of Washington.

9 3.2 Defendant Grant Transit Authority is a public transportation benefit
10 district located within the State of Washington.

11 3.3 Defendant JoBeth Carlson is a citizen of the State of Washington
12 and, at all times relevant, was GTA’s Operations Manager.

13 3.4 The identities of Defendant John/Jane Does I-V are not known to
14 Plaintiff at this time, and Plaintiff names them as placeholders for these
15 unidentified defendants. Upon discovery of the identities of the Doe Defendants,
16 Plaintiff will seek to amend her complaint to substitute the Doe Defendants with
17 their true identities. Defendants John/Jane Does I-V are, upon information and
18 belief, citizens of the State of Washington.

19 **IV. FACTS**

20 4.1 Castillo began working for GTA in November 2024 as a Coach
21 Operator and later as Dispatch Support.

22 4.2 In her job as Dispatch Support, Castillo was responsible for
23 supporting transit drivers before, during, and after their shifts and covering the
24 front desk at the Multimodal Transit Center in Moses Lake.

25 4.3 On September 10, 2025, conservative political activist Charlie Kirk
26 was murdered and GTA lowered its flags in observation of Kirk’s death.

27

1 4.4 On her personal Facebook account, Castillo made the following
2 comment about Kirk: “When a horrible trash-human dies and others talk about
3 them as if they were wonderful, as opposed to the modern day Nazi that they
4 were, what is that called?”

5 4.5 In response to another user’s comment on Castillo’s post, she stated,
6 “We had to put our flags at half mast this evening. I said someone else can do it
7 because I’m not touching the flag for him.”

8 4.6 Castillo had not been asked to lower GTA’s flags in honor of Kirk.
9 Castillo had made her comment about not wanting to lower the flag in honor of
10 Kirk to a non-supervisory co-worker.

11 4.7 Castillo’s Facebook account did not identify her as an employee of
12 GTA.

13 4.8 Castillo’s Facebook comments did not identify GTA as her
14 employer.

15 4.9 On or about September 12, 2025, a member of the public emailed
16 GTA staff complaining about Castillo’s social media activity regarding Kirk.

17 4.10 The member of the public who complained stated, “I will still
18 continue to use your services,” notwithstanding Castillo’s social media activity
19 regarding Kirk.

20 4.11 GTA investigated the complaint against Castillo.

21 4.12 Through its investigation, GTA learned Castillo had also commented
22 about Kirk at work to a non-supervisory co-worker.

23 4.13 No member of the public heard Castillo’s comments regarding Kirk
24 in the workplace. The co-worker did not independently file a complaint about
25 Castillo’s workplace comments regarding Kirk.

1 4.14 Commenting on social media was not within the scope of Castillo's
2 job duties for GTA.

3 4.15 Commenting about political figures was not within the scope of
4 Castillo's job duties for GTA.

5 4.16 Defendant Carlson terminated Castillo on September 25, 2025,
6 because of her statements regarding Kirk.

7 **V. CAUSE OF ACTION**
8 **42 U.S.C. § 1983: First Amendment Violation**

9 5.1 Plaintiff realleges paragraphs 4.1 to 4.16 as if fully set forth herein.

10 5.2 The First Amendment to the United States Constitution prohibits a
11 public employer from retaliating against a public employee because of her
12 constitutionally protected speech activities.

13 5.3 Plaintiff's comments regarding Kirk on social media and in the
14 office addressed matters of public concern.

15 5.4 Plaintiff's comments regarding Kirk were made in her capacity as a
16 private citizen.

17 5.5 Plaintiff's constitutionally protected activities were a substantial or
18 motivating factor in Defendants' termination of her employment at GTA.

19 5.6 Defendants would not have terminated Plaintiff in the absence of her
20 constitutionally protected activities.

21 5.7 Plaintiff's speech regarding Kirk did not result in the disruption of
22 GTA's transit services to the public.

23 5.8 Plaintiff's free speech interest is greater than any interest of GTA's
24 in promoting the efficiency of public services.

25 5.9 Defendant Carlson and Defendants Does I-V, acting under color of
26 state law, deprived Plaintiff of her constitutional right to freedom of speech.
27

1 5.10 Defendant Carlson, and/or Defendants Does I-V, had final
2 discretionary authority over Plaintiff's employment.

3 5.11 Defendants' actions deprived Plaintiff of rights secured by the
4 United States Constitution in violation of 42 U.S.C. § 1983.

5 5.12 Defendants expressly considered and disregarded Plaintiff's
6 constitutional rights to free speech, as set forth in Defendant Carlson's
7 termination letter.

8 5.13 The actions of Defendant Carlson and Defendants Does I-V were
9 willful and taken with reckless disregard to Plaintiff's constitutional rights.

10 5.14 The actions of Defendant Carlson and Defendants Does I-V violated
11 clearly established constitutional rights of which a reasonable official would have
12 known.

13 5.15 As a direct and proximate cause of Defendants' violation of
14 Plaintiff's First Amendment rights, Plaintiff has suffered and continues to suffer
15 economic damages, including lost past and future wages and employment
16 benefits, consequential damages, and general damages in the form of emotional
17 distress, anxiety, mental anguish, humiliation and embarrassment, all in amounts
18 to be proven at trial.

19 **VI. REQUEST FOR RELIEF**

20 WHEREFORE, Plaintiff requests the following relief:

21 A. Damages including, but not limited to, lost wages, including front-
22 and back-pay; lost medical, retirement, and other employment benefits; and other
23 lost pecuniary benefits of employment in amounts to be proven at trial;

24 B. Compensatory damages for the harm Plaintiff has suffered,
25 including, but not limited to, emotional distress, humiliation, loss of enjoyment of
26 life, mental anguish, and reputational harm, in amounts to be proven at trial;

1 C. Punitive damages against Defendants Carlson and Does I-V;

2 D. Reasonable attorneys' fees, expert witness fees, and costs and
3 expenses of litigation;

4 E. Prejudgment interest at the maximum rate allowed by law;

5 F. Damages to make up for any adverse tax consequences of any award
6 to Plaintiff; and

7 G. Such other and further relief as this Court may deem appropriate.

8 **VII. JURY DEMAND**

9 Plaintiff demands a trial by jury of all issues so triable pursuant to Rule 38
10 of the Federal Rules of Civil Procedure.

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12
13 DATED this 20th day of May 2026.

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