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Cajune v. Independent School District 194

United States Court of Appeals, Eighth Circuit - June 26, 2024 - F.4th - 2024 WL 3169925

Plaintiffs, including municipal taxpayers, parent of children in public school district, and unincorporated association of district residents and taxpayers, brought § 1983 action against district and its superintendent, asserting that district violated First Amendment Free Speech Clause by rejecting “All Lives Matter” and “Blue Lives Matter” posters and shirts while permitting the display of an inclusive poster series featuring two posters with the phrase “Black Lives Matter.”

Defendants moved to dismiss amended complaint, and unnamed plaintiffs moved to proceed using pseudonyms. United States District Court for the District of Minnesota granted defendants’ motion and denied unnamed plaintiffs’ motion. Plaintiffs appealed.

The Court of Appeals held that:

- Fear of reprisal from political activists was insufficient to support allowing unnamed plaintiffs to proceed pseudonymously;
- Plaintiffs pled sufficient facts to support plausible inference that display of posters was private, not government, speech;
- District created a limited public forum, thereby opening school walls to discussion of similar topics under Free Speech Clause, when it allowed private persons to display posters with phrase “Black Lives Matter” on school walls; and
- Allegations were sufficient to state claim that district violated Free Speech Clause.