

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

|                           |   |                  |
|---------------------------|---|------------------|
| ROBIN SPENARD,            | ) |                  |
|                           | ) |                  |
| Plaintiff,                | ) |                  |
|                           | ) |                  |
| v.                        | ) | CIVIL ACTION NO. |
|                           | ) | 2:10cv1080-MHT   |
|                           | ) | (WO)             |
| DONALD BARTON, an         | ) |                  |
| individual, and ANDALUSIA | ) |                  |
| BONDING COMPANY, LLC, a   | ) |                  |
| limited liability         | ) |                  |
| corporation,              | ) |                  |
|                           | ) |                  |
| Defendants.               | ) |                  |

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The motion for partial summary judgment (Doc. No. 8), filed by defendants Donald Barton and Andalusia Bonding Company, LLC, is granted.

(2) Plaintiff Robin Spenard's claim, based on the Truth in Lending Act, 15 U.S.C. § 1601 et seq., is

dismissed without prejudice because the court lacks jurisdiction, but with leave to reinstate this case should the evidence show that defendant Barton or defendant Andalusia Bonding Co., LLC engaged in an additional mortgage that would satisfy jurisdiction.

(3) Plaintiff Spenard's remaining state claims are dismissed without prejudice, with leave to renew in state court.

It is further ORDERED that all other pending motions are denied as moot.

It is further ORDERED that the parties are to bear their own costs.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 26th day of May, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE