Smith v. Eike (MAG+) Doc. 35

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

PETER J. SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACT. NO. 2:12cv85-MHT
	)	(WO)
ROBERT EIKE,	)	
	)	
Defendant.	)	

ORDER

On May 23, 2012, the magistrate judge filed a recommendation in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the recommendation of the magistrate judge, it is ORDERED and ADJUDGED as follows that:

1. The recommendation of the magistrate judge (Doc. # 34) is adopted;

2. The defendant's motion to dismiss (Doc. # 28) is granted and the plaintiff's Title VII claim is dismissed from this case; and

3. This case with respect to the plaintiff's remaining Title II claim is referred back to the magistrate judge for further proceedings.

Done this the 22nd day of June, 2012.

/s/ MYRON H. THOMPSON
UNITED STATES DISTRICT JUDGE

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