

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

ANTHONY TONY SUNDAY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:13cv400-WHA
)	
HYUNDAI MOTORS,)	(WO)
)	
Defendant.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #14), filed on September 12, 2013, and the Plaintiff’s Objection (Doc. #16), filed on September 17, 2013. Following an independent evaluation and *de novo* review of this case, the court finds the objection to be without merit, and it is hereby OVERRULED.

The Magistrate Judge recommended that this case be dismissed without prejudice for lack of federal court jurisdiction. The court agrees with the finding of the Magistrate Judge that Plaintiff’s Complaint alleges only a state law claim. Since both the Plaintiff and the Defendant are citizens of Alabama for diversity purposes, there is no federal court jurisdiction based on diversity of citizenship. Furthermore, neither the statute cited by the Plaintiff nor the Plaintiff’s allegation that Hyundai is in a “federal trade zone” provide a basis for federal question jurisdiction. If the Plaintiff wishes to pursue this claim, he must do so in state court. Therefore, the court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby

ORDERED that this case is DISMISSED without prejudice for want of federal court jurisdiction.

DONE this 26th day of September, 2013.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE