

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

LAWRENCE WELLS,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:13-cv-516-WKW
)	WO
GOURMET SERVICES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On July 21, 2014, the Magistrate Judge filed a Recommendation (Doc. #64) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. That, pursuant to Fed. R. Civ. P. 12(c) and 28 U.S.C. § 1915(e)(2)(B)(ii), Wells’s Title VII claim that he was subjected to a hostile work environment, wrongful discharge, and deprivation of pay on the basis of national origin is dismissed with prejudice;
3. That, pursuant to Fed. R. Civ. P. 12(c) and 28 U.S.C. § 1915(e)(2)(B)(ii), Wells’s claim that he was subjected to a hostile work environment in violation of Title VII on the basis of his race is dismissed with prejudice;
4. That, pursuant to Fed. R. Civ. P. 12(c) and 28 U.S.C. § 1915(e)(2)(B)(ii), Wells’s claim that he was deprived of pay in violation of Title VII on the basis of his race is dismissed with prejudice;

5. That, pursuant to Fed. R. Civ. P. 12(c) and 28 U.S.C. § 1915(e)(2)(B)(ii), Wells's claim subjected to unlawful retaliation in violation of Title VII is dismissed with prejudice;

6. That Wells's state law claims is dismissed for lack of jurisdiction;

7. That, in all other respects, the motion for judgment on the pleadings (Doc. 37) is denied; and

8. That this case proceed solely on Wells's FLSA claim.

DONE this the 9th day of September, 2014.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE