

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

GWENDOLYN McCURDY,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:13cv934-MHT
)	
STATE OF ALABAMA)	
DISABILITY DETERMINATION)	
SERVICE,)	
)	
Defendant.)	

ORDER

After an independent and de novo review of the record, it is ORDERED as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 40), to which no objection has been filed, is adopted.

(2) Defendant's motion to dismiss (doc. no. 34) is denied in part and granted in part.

(3) The following of plaintiff's claims are dismissed: the Title VII claims based on sex and

national origin; the Title VII and § 1981 claims for race-based discrimination as to pay, hiring, working conditions, and other terms and conditions of employment (as defined in the magistrate judge's recommendation); the Title VII and § 1981 claims for hostile work environment; the Title VII and § 1981 claims for retaliation; the ADA claim; and the ADEA claim.

(3) This case is referred back to the magistrate judge for further proceedings.

DONE, this the 30th day of September, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE