

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

MICHAEL DWANE GOLDEN )  
and CATHLEEN ELIZABETH )  
GOLDEN, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
CITY OF MONTGOMERY, *et al.*, )  
 )  
Defendants. )

CASE NO. 2:14-CV-663-WKW

**ORDER**

On July 15, 2014, the Magistrate Judge filed a Recommendation (Doc. # 45), to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED that the Recommendation is ADOPTED and Defendants’ Motion to Dismiss (Doc. # 22) is GRANTED in part and DENIED in part as follows:

1. The Motion to Dismiss (Doc. # 22) is DENIED as to Plaintiffs’ 42 U.S.C. § 1983 claims against the City of Montgomery.
2. The Motion to Dismiss (Doc. # 22) is GRANTED as to all Plaintiffs’ official-capacity claims against the individual Defendants.

3. The Motion to Dismiss (Doc. # 22) is DENIED as to Plaintiffs' 42 U.S.C. § 1983 claims against Officers Ramson and Roberson in their individual capacities.

4. The Motion to Dismiss (Doc. # 22) is GRANTED as to Plaintiffs' 42 U.S.C. § 1983 claims against Mayor Strange, Public Safety Director Murphy, and Police Chief Murphy in their individual capacities.

5. The Motion to Dismiss (Doc. # 22) is DENIED as to all Plaintiff's state-law claims against the individual Defendants in their individual capacities.

It is further ORDERED that this case is REFERRED back to the Magistrate Judge for further proceedings on the remaining claims in accordance with 28 U.S.C. § 636.

DONE this 24th day of July, 2015.

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