

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

ALEX SMITH JR., a man,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:15cv54-MHT
)	(WO)
WELLS FARGO BANK)	
NATIONAL ASSOCIATION,)	
)	
Defendant.)	

OPINION

Plaintiff filed this lawsuit asserting claims under the Fair Debt Collection Practices Act ("FDCPA") (15 U.S.C. §§ 1692, 1692a to 1692p) and the Fair Credit Reporting Act ("FCRA") (15 U.S.C. §§ 1681, 1681a to 1681x), and related state-law claims, all stemming from defendant's foreclosure on a property owned by plaintiff's mother before she died. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's claims under the FDCPA and FCRA be dismissed with prejudice, and that plaintiff's state law claims be dismissed

without prejudice. Also before the court is the plaintiff's motion to amend the complaint, which the court construes as both a motion to amend and as plaintiff's objections to the recommendation. After an independent and de novo review of the record, the court concludes that plaintiff's objections should be overruled and the magistrate judge's recommendation adopted, except that all of plaintiff's claims will be dismissed without prejudice. The case will remain open for the magistrate judge to enter a recommendation on the motion to amend.

An appropriate judgment will be entered.

DONE, this the 11th day of March, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE