

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

SHARON HARRIS,)
)
 Plaintiff,)
)
 v.) CASE NO. 2:15-CV-129-WKW
)
 STATE OF ALABAMA)
 DEPARTMENT OF FINANCE,)
 SERVICE DIVISION,)
)
 Defendant.)

ORDER

On March 2, 2015, the Magistrate Judge filed a Recommendation in this case. (Doc. # 7.) On March 12, 2015, Plaintiff Sharon Harris filed an Objection. (Doc. # 10.) The court has conducted an independent and *de novo* review of those portions of the Recommendation to which objection is made. *See* 28 U.S.C. § 636(b).

In her objection, Ms. Harris asserts that the Magistrate Judge erred when she determined that Ms. Harris failed to file her EEOC charge of discrimination within 180 days of the last alleged discriminatory act of her employer and that Ms. Harris did not establish a basis for the equitable tolling of the 180-day deadline. As grounds for her Objection, Ms. Harris outlines the time period during which she filed internal complaints with the State Finance Director's office and notes that she was undergoing a third back surgery during that period of her employment. The

additional information provided by Ms. Harris, however, is insufficient to cure the complaint's deficiencies as cited and elaborated upon in the Recommendation, namely that Ms. Harris failed to file her charge with the EEOC within 180 days from the last act of alleged discrimination.

Accordingly, it is ORDERED as follows:

1. Ms. Harris's Objection (Doc. # 10) is OVERRULED.
2. The Recommendation (Doc. # 7) is ADOPTED.
3. Ms. Harris's claim alleging a violation of Title VII is DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) due to Ms. Harris's failure to file a timely charge of discrimination with the EEOC.

An appropriate final judgment will be entered separately.

DONE this 16th day of March, 2015.

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