

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

TONY NGUYEN, on behalf of)
the interests of his)
Fellow Disabled Veterans,)
)
Plaintiff,)
)
v.)
)
CIVIL AIR PATROL, et al.,)
)
Defendants.)

CIVIL ACTION NO.
2:20cv824-MHT
(WO)

OPINION

Plaintiff filed this lawsuit asserting a variety of types of federal discrimination claims, retaliation for complaining about lack of accommodations for veterans with disabilities, and state claims. While plaintiff sued six named defendants, he has served only one of them, Civil Air Patrol, which has moved to dismiss. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that the Civil Air Patrol's motion to dismiss plaintiff's case be granted and that this case be dismissed in its entirety. Also before the court are 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.

The court will grant the Civil Air Patrol's motion to dismiss as to plaintiff's claims against that defendant. As to the claims against the remaining, unserved defendants, the magistrate judge noted that the shotgun-pleading defect applied to them too, but she also relied on Fed.R.Civ.P. 4(m) to dismiss them because service had not been made on them within 90 days. Despite this notice of the court's reliance on Rule 4(m), plaintiff has not in his objections provided good cause for his failure.

An appropriate judgment will be entered.

DONE, this the 25th day of March, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE