

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

PAUL RANDALL HOLM,)	
)	
Plaintiff,)	
)	CASE NO. 3:08-cv-248-MEF
v.)	
)	
AUBURN UNIVERSITY,)	
)	
Defendant.)	

ORDER

On September 5, 2008, the Magistrate Judge filed a Recommendation (Doc. #23) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Defendant's Motion to Dismiss (Doc. #16) is GRANTED.
3. Plaintiff's "pattern and practice" claims are DISMISSED without prejudice for failure to state a claim for which relief can be granted.
4. Plaintiff's claims for hiring decisions February 8, 2007 are DISMISSED with prejudice as barred by statute of limitations.

It is further ORDERED that plaintiff's Motion to Dismiss (Doc. #24) filed on

September 16, 2008 is GRANTED and plaintiff's claims relating to the two job applications in January 2007 are DISMISSED without prejudice.

DONE this the 25th day of September, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE