

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

GEORGE PUGH, )  
)  
Plaintiff, )  
)  
v. )  
)  
PHENIX CITY POLICE )  
DEPARTMENT, RAY SMITH AND )  
ROBERT CASTEEL, )  
)  
Defendants. )

CIVIL ACTION NO.  
3:14cv178-MHT  
(WO)

JUDGMENT

After an independent and de novo review of the record, it is ORDERED as follows:

(1) The magistrate judge's recommendation (doc. no. 21), to which no objection has been filed, is adopted.

(2) The motion to dismiss (doc. no. 8) is granted to the extent that the Title VII claim against defendants Ray Smith and Robert Casteel in their individual capacities is dismissed.

(3) The motion to dismiss (doc. no. 8) is denied to the extent that the Title VII claim against defendants Smith and Casteel in their official capacities is not dismissed.

(4) The motion to dismiss (doc. no. 8) is granted to the extent that defendant Phenix City Police Department is dismissed and terminated as a party.

(5) The plaintiff is allowed 14 days from the date of this order to file an amended complaint that names the proper defendant or defendants, in place of defendant Phenix City Police Department, and that contains a short and plain statement setting forth specific factual allegations from which it could be reasonably inferred that his employer discriminated against him on the basis of his race.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is referred back to the magistrate judge  
and is not closed.

DONE, this the 31st day of March, 2015.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE