

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

CITY OF PHENIX CITY,	)	
ALABAMA, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO. 3:15-CV-748-WKW
	)	
JERRY PAUL CARROLL,	)	
	)	
Defendant.	)	

**ORDER**

On March 14, 2016, the Magistrate Judge filed a Recommendation (Doc. # 28) to which Defendant timely filed an objection (Doc. # 29). Plaintiff Redflex Traffic Systems filed a response to Defendant’s objection. (Doc. # 30.) 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), and finds that Defendant’s objection is without merit.

Accordingly, it is ORDERED as follows:

- (1) Defendant’s objection (Doc. # 29) is OVERRULED;
- (2) The Recommendation (Doc. # 28) is ADOPTED;

(3) Plaintiffs' Motions to Remand (Docs. # 9, 13) are GRANTED for lack of subject-matter jurisdiction;<sup>1</sup>

(4) This case is REMANDED to the Municipal Court of Phenix City, Alabama; and

(5) All remaining outstanding motions (Docs. # 4, 11, 21, 22, 23, 25) are DENIED as moot.

It is further ORDERED that Defendant's Motion for Disqualification (Doc. # 31) and Motion for Summary Judgment (Doc. # 35) are DENIED.

The Clerk of the Court is DIRECTED to take the steps necessary to effectuate the remand.

DONE this 5th day of April, 2016.

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

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<sup>1</sup> The court also notes that although Plaintiff alleged jurisdiction pursuant to §§ 1331 and 1332, these sections grant jurisdiction for civil matters. *See* 28 U.S.C. §§ 1331–32. The complaint in this case stems from a violation of a Phenix City ordinance, so that the case is not a civil matter that falls within the jurisdictional grant of either § 1331 or § 1332.