

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

BRIAN DODSON,)
)
 Plaintiff,)
)
 v.) CASE NO. 3:17-CV-343-WKW
)
 AETNA LIFE INSURANCE CO.,)
)
 Defendant.)

ORDER

On March 1, 2018, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 12.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED as follows:

- (1) The Recommendation is ADOPTED;
- (2) Defendant’s Motion to Dismiss Plaintiff’s State-Law Claims and to Strike Plaintiff’s Jury Demand (Doc. # 8) is GRANTED;
- (3) Plaintiff’s complaint, which consists solely of state-law claims, is DISMISSED without prejudice to his ability to file an amended complaint asserting claims under the Employee Retirement Income Security Act (“ERISA”), 29 U.S.C. § 1001, *et seq.*

(4) Plaintiff is DIRECTED to file on or before **March 30, 2018**, an Amended Complaint that brings claims under ERISA and that omits a jury demand. Failure to file an Amended Complaint by the March 30 deadline will result in dismissal of this action.

DONE this 19th day of March, 2018.

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