

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

JALEON KELLY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:18-CV-149-WKW
)	[WO]
WAL-MART STORES EAST, LP,)	
)	
Defendant.)	

ORDER

On February 15, 2019, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 38.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that the Recommendation is ADOPTED, and that Defendant’s motion to dismiss (Doc. # 27) is GRANTED as to Plaintiff’s hostile work environment and failure to hire claims and DENIED as to his disparate treatment, failure to promote, and reasonable accommodation claims. It is further ORDERED that Defendant’s previously filed motion to dismiss (Doc. # 18) be DENIED as moot.

This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 6th day of March, 2019.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE