

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ASHLEY ISAAC,)	
Plaintiff,)	
)	
v.)	Case No: 2:13-cv-1847-KOB
)	
MILES COLLEGE CORP.,)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on July 13, 2015, recommending that the court grant the defendant’s motion to dismiss for lack of federal subject matter jurisdiction because the Higher Education Act (HEA) does not create a private right of action. (Doc. 10). The magistrate judge also recommends that the court dismiss the plaintiff’s state law claims without prejudice. No party filed any objections.

The court has carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation. The court ADOPTS the magistrate judge’s report and ACCEPTS her recommendation to grant the defendant’s motion to dismiss for lack of federal subject matter jurisdiction. The court finds that, for the reasons stated in the magistrate judge’s report, the plaintiff’s state law claims are due to be dismissed without prejudice so she can pursue them in state court if appropriate.

The court will enter a separate Order in conformity with this Memorandum Opinion.

DONE and ORDERED this 5th day of August, 2015.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE