

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

ARTHUR BRENNAN MALLOY,)
)
Plaintiff,)
vs.) 4:12-CV-2538-LSC-TMP
)
CAPTAIN KENNETH N. PETERS,))
et al.,)
Defendants.)

MEMORANDUM OF OPINION

On August 4, 2014, Magistrate Judge T. Michael Putnam filed his report and recommendation in the above-styled cause, recommending that Plaintiff's motions for judgment on the pleadings, summary judgment, and to reinstate his discovery requests be denied. Judge Putnam further recommended that this court decline to exercise supplemental jurisdiction over Plaintiff's state law causes of action, and that those state law causes of action be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3). Finally, Judge Putnam recommended the Defendants' motions for summary judgment be granted and that the above action be dismissed with prejudice. Objections to Judge Putnam's recommendations have been filed by Plaintiff.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation as well as all matters and record

relevant to those rulings made the subject of Plaintiff's objections, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Consequently, Plaintiff's motions for judgment on the pleadings, summary judgment, and to reinstate his discovery requests are due to be DENIED. This court declines to exercise supplemental jurisdiction over Plaintiff's state law causes of action, and that those state law causes of action are due to be DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1367(c)(3). Finally, Defendants' motions for summary judgment are due to be GRANTED AND THE ABOVE ACTION IS DUE TO BE DISMISSED WITH PREJUDICE. An order of final judgment will be entered contemporaneously herewith.

Done this 20th day of August 2014.


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L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE