

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

RODNEY COMPTON

PLAINTIFF

v.

No. 5:12-cv-275-DPM

**ANTHONY ROBINSON; and
GRAPHIC FLEXIBLE
PACKAGING, LLC**

DEFENDANTS

ORDER

Defendants' motion to dismiss, *Document No. 5*, is granted. Section 301 of the Labor Management Relations Act completely pre-empts Compton's claims, the only claims pleaded, under the Arkansas Civil Rights Act. His claims are inextricably intertwined with the collective bargaining agreement covering his employment at Graphic Flexible Packaging's Pine Bluff plant. *Caterpillar Inc. v. Williams*, 482 U.S. 386, 394 (1987); *Schuver v. MidAmerican Energy Co.*, 154 F.3d 795, 799 (8th Cir. 1998).

The Court is bumfuzzled by Compton's invocation of the National Labor Relations Act, *Garmon* pre-emption, and a Virginia state court. *Document No. 8*. Compton's motions to stay and remand, *Document No. 7*, are denied. The Jefferson County Circuit Court has no subject matter jurisdiction

over a § 301 lawsuit. Complaint dismissed without prejudice. Defendant's embedded request for fees and costs is denied.

So Ordered.

Handwritten signature of D.P. Marshall Jr. in cursive script, positioned above a horizontal line.

D.P. Marshall Jr.
United States District Judge

7 September 2012