

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

CHARLES PETERSON, d/b/a	*	
Desert Sounds Records,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	CV 113-119
	*	
ERIC D. SMITH, d/b/a World	*	
Records Productions and d/b/a	*	
Smidi Beats Market Records,	*	
	*	
Defendant.	*	

O R D E R

Before the Court are Defendant's "pleas for a ruling on counterclaim CV 113-119." (Docs. nos. 57, 59 & 61.) For the reasons stated herein, Defendant's pleas, construed as motions, are **DENIED**.


On July 22, 2013, Plaintiff, proceeding pro se, filed a music copyright infringement action in this Court. Defendant, also proceeding pro se, brought a counterclaim alleging "unpaid production invoices totaling \$36,700." (Id.) On September 18, 2014, the Court dismissed Plaintiff's claims. (Doc. no. 55.) Soon thereafter, Defendant filed motions for the Court to rule on his counterclaims. (Docs. nos. 57, 59 & 61.)

The Court had original jurisdiction over Plaintiff's

copyright infringement claims because those claims presented federal questions under 17 U.S.C. § 501. Jurisdiction over Defendant's state law counterclaims was proper under the doctrine of supplemental or pendant jurisdiction. See Parker v. Scrap Metal Processors, Inc., 468 F.3d 733, 742 (11th Cir. 2006) (citing 28 U.S.C. § 1367). A district court may exercise supplemental jurisdiction over all state claims which arise out of a common nucleus of operative fact with a substantial federal claim. Id. However, a court has discretion to decline to exercise the supplemental jurisdiction that it has over certain state law claims when the court dismisses all claims over which it has original jurisdiction. Id.

Here, the Court dismissed Plaintiff's federal claims and declines to exercise jurisdiction over Defendant's related state law counterclaims. **IT IS THEREFORE ORDERED** that Defendant's motions (docs. nos. 57, 59 & 61) are **DENIED**. The Clerk is directed to **CLOSE** this case.

ORDER ENTERED at Augusta, Georgia, this 13th day of January, 2015.



Honorable J. Randal Hall
United States District Judge
Southern District of Georgia