UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:11-CV-336-H

SPRINGWATER OCOEE   PLAINTIFF

V.

LOUISVILLE METRO HOUSING AUTHORITY   DEFENDANT

MEMORANDUM OPINION AND ORDER

This matter is before the Court on trial. However, Plaintiff asserted her right to a jury trial and the Court converted the proceeding to an evidentiary hearing on her claims.

Plaintiff alleges that LMHA and Section 8 Housing Staff discriminated against her in violation of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968). Generally, Ocoee alleges she was treated differently and not afforded the same rights as other tenants because of her status as a disabled, Native American senior citizen. Specifically, Ocoee appears to claim that Defendant LMHA placed her at the bottom of a waiting list for Section 8 housing and denied her a canine companion based on one or more of these protected classes. She also claims that she was beaten and assaulted by certain residents of St. Catherine's Court housing project.

Based on the evidence produced at this hearing, the Court would conclude that neither claim is viable. First, Plaintiff conceded that she received a preferential listing for Section 8 Housing based upon her status as a "homeless" person and later lost that status when she found subsidized housing. Therefore, she admitted that her Section 8 listing was not based on any discrimination. Second, the incident during which Plaintiff received injuries involved St.

Catherine's residents, not Housing Authority employees. Also, a state judge determined that her eviction was proper based upon Plaintiff initiating the incident.

Finally, at the conclusion of the hearing, Plaintiff asked that her case be dismissed. For all these reasons and the Court being otherwise sufficiently advised,

IT IS HEREBY ORDERED that Plaintiff's remaining claims are DISMISSED WITH PREJUDICE.

This is a final order.

cc: Springwater Ocoee, Plaintiff
       Counsel of Record

C/R- Alan Wernecke

COURT TIME: 01/10