

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

CHERYL L FENELON

CASE NO. 6:18-CV-00245

VERSUS

JUDGE ROBERT R. SUMMERHAYS

MEGAN BRENNAN


**MAGISTRATE JUDGE CAROL B.
WHITEHURST**

JUDGMENT

Presently before the Court is the Defendant's Motion for Partial Dismissal Under Rule of Civil Procedure (12)(b)(1) and 12(c) [ECF No. 51]. The matter was referred to the magistrate judge for report and recommendation. On December 30, 2020, the magistrate judge issued a Report and Recommendation [ECF No. 64] recommending that the Motion to Dismiss be granted. Plaintiff has filed an objection to the Report and Recommendation. After an independent review of the record, and considering the objection filed, this Court concludes that the magistrate judge's Report and Recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED THAT the Defendant's Motion for Partial Dismissal Under Rule of Civil Procedure (12)(b)(1) and 12(c) [ECF No. 51] is GRANTED. The plaintiff's claims regarding the EEO Process and EEOC administrative judge are DISMISSED WITH PREJUDICE, as the Court lacks subject matter jurisdiction over such claims. The plaintiff's claims for disparate treatment discrimination and retaliation are DISMISSED WITH PREJUDICE.

THUS DONE in Chambers on this 16th day of March, 2021.



ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE