

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY MARK WINEMAN,

Plaintiff,

v.

Case No. 11-12998

Hon. John Corbett O'Meara

CITY OF KEEGO HARBOR, *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

On July 12, 2011, Plaintiff filed a complaint alleging the following causes of action:

Count I, false arrest/imprisonment; Count II, violation of 42 U.S.C. § 1983; Count III, municipal liability under § 1983; and Count IV, gross negligence.

Although alleged civil rights violations brought pursuant to 42 U.S.C. § 1983 are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over the latter claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's gross negligence and false arrest/imprisonment claims, to the extent that they are based upon state law, are DISMISSED.

s/John Corbett O'Meara
United States District Judge

Date: July 29, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 29, 2011, using the ECF system.

s/William Barkholz

Case Manager