

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON ROGERS,

Plaintiff,

v.

CITY OF DETROIT,

Defendant.

Case No. 12-10858

Hon. John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

On February 26, 2012, Plaintiff filed his complaint, alleging violations of 42 U.S.C. § 1983 (Count I) and the Michigan Constitution (Count II). 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 Count II of Plaintiff's complaint is DISMISSED.

s/John Corbett O'Meara
United States District Judge

Date: March 16, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 16, 2012, using the ECF system.

s/William Barkholz

Case Manager