

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEPHANIE CHARLES,

Plaintiff,

v.

UNITED RECOVERY GROUP, INC.,

Defendant.

Case No. 12-13935

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Stephanie Charles filed a five-count complaint in this court September 6, 2012, alleging the following causes: Count I, violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692 *et. seq.*; Count II, violations the Michigan Collection Practices Act ("MCPA"), Mich. Comp. Laws Ann. §§ 445.251 *et. seq.*; Count III, violations of the Michigan Occupational Code ("MOC"), Mich. Comp. Laws Ann. §§ 339.901 *et seq.*; Count IV, invasion of privacy; and Count V, intentional infliction of emotional distress.

Plaintiff has not established that the court has federal subject matter jurisdiction through diversity of citizenship. According to the civil cover sheet, Plaintiff seeks damages less than an amount in excess of \$75,000.00 as required by 28 U.S.C. § 1332(a).

The court does have subject matter jurisdiction over Count I, as it presents a federal question arising under the FDCPA. However, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts II, III, IV, and V of the complaint are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: September 19, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, September 19, 2012, using the ECF system.

s/William Barkholz
Case Manager