

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NEYOKII Q. EUBANKS,

Plaintiffs,

v.

TRICON SECURITY GROUP, L.L.C., and
ANTOINE WILLIS, jointly and severally,

Defendants.

Case No. 16-10379

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Neyokii Q. Eubanks recently filed a two-count complaint in this court alleging discrimination in violation of Title VII of the Civil Rights Act of 1964 in Count I and discrimination and retaliation in violation of Michigan's Elliott-Larsen Civil Rights Act in Count II.

Although Count I is cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in Count II are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claim to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 282 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

ORDER

It is hereby **ORDERED** that Count II is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: March 18, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 18, 2016, using the ECF system.

s/William Barkholz
Case Manager