

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAZELL HAYES and
MELVIN SHORT,

Plaintiffs,

Case No. 16-13098

v.

Hon. John Corbett O'Meara

CITY OF DETROIT, *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiffs filed their complaint on August 26, 2016, alleging the following counts: Count I, violation of 42 U.S.C. § 1983; Count II, violation of § 1983; Count III, conversion; and Count IV, intentional infliction of emotional distress.

Although Counts I and II 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 Plaintiffs' state law 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); Sanford v. Detroit Pub. Schs., 2014 WL 1922722 (E.D. Mich. 2014) (“Mixing federal-law claims with supplemental state-law claims can cause procedural and substantive problems; in the interest of judicial economy and

convenience, these problems should be avoided.”).

Accordingly, Counts III and IV of Plaintiffs’ complaint are DISMISSED
WITHOUT PREJUDICE.

SO ORDERED.

s/John Corbett O’Meara
United States District Judge

Date: September 13, 2016

I hereby certify that a copy of the foregoing document was served upon
counsel of record on this date, September 13, 2016, using the ECF system.

s/William Barkholz
Case Manager