

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR BATSON,

Plaintiff,

Case No. 17-12214

v.

Hon. John Corbett O'Meara

GENESEE COUNTY SHERIFF'S
DEPUTY "HOOVER," *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff filed his complaint on July 6, 2017, alleging claims under 28 U.S.C. §1983 and various tort claims, including gross negligence and intentional infliction of emotional distress. Although Plaintiff's § 1983 claims 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 Plaintiff's 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, the state law claims set forth in Plaintiff’s complaint are
DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

s/John Corbett O’Meara
United States District Judge

Date: July 26, 2017

I hereby certify that a copy of the foregoing document was served upon
counsel of record on this date, July 26, 2017, using the ECF system.

s/William Barkholz
Case Manager