

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT LEE CARTER, SR.,)
)
 Plaintiff,)
)
 vs.)
)
 MISSOURI DEPARTMENT OF)
 SOCIAL SERVICES,)
 Family Support Division,)
)
 Defendant.)

Case No. 4:09CV624 RWS


MEMORANDUM AND ORDER

Plaintiff Robert Carter has filed a motion to reconsider the dismissal of his claims against Defendant FSD under the Age Discrimination in Employment Act (ADEA), 29 U.S.C. §§ 621-634 (Id.), and the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq. Carter seeks \$157 million in damages from this state agency.

Carter argues that the Eleventh Amendment should not bar ADA and ADEA suits against state agencies. As discussed in my previous order, such suits are barred and this Court must follow the precedents of the United States Supreme Court on the application of sovereign immunity to ADA and ADEA claims.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion to reconsider [#31] is **DENIED**.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 24th day of November, 2009.