

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION

Mark Knox v. Medtronic, PLC, et al.

Knox · No. 2:25-cv-00975-BL · Decided April 10, 2026

SUMMARY

The United States District Court for the Middle District of Alabama adopts the Magistrate Judge’s recommendation and dismisses Mark Knox’s action against Medtronic, PLC, and related defendants. Counts II, III, and IV are dismissed with prejudice as time-barred, Count V is dismissed with prejudice because vicarious liability is not an independent cause of action, and Count I is dismissed without prejudice after the court declines supplemental jurisdiction.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	Bill Lewis
JURISDICTION	United States District Court for the Middle District of Alabama, Northern Division
DECIDED	April 10, 2026
DOCKET	2:25-cv-00975-BL
DISPOSITION	dismissed
PROCEDURAL POSTURE	After a magistrate judge recommended dismissal of all counts, the plaintiff objected to the recommendations concerning Counts I and V and moved for leave to file the objections out of time. The district court granted leave, conducted de novo review of the objected-to portions, adopted the recommendation, and dismissed the action.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report or proposed findings and recommendations to which a specific objection was made, under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b)(3).
PRECEDENTIAL VALUE	unpublished

TOPICS

- subject matter jurisdiction
- statute of limitations
- vicarious liability
- respondeat superior
- civil procedure

PRACTICE AREAS

civil procedure

torts

federal jurisdiction

statute of limitations

QUESTIONS PRESENTED

1. Whether the district court should grant leave to file Knox's objections to the magistrate judge's recommendation out of time.
2. Whether Counts II, III, and IV were time-barred.
3. Whether Alabama law recognizes vicarious liability or respondeat superior as an independent cause of action absent an adequately pleaded underlying tort.
4. Whether the district court should continue to exercise supplemental jurisdiction over the state-law assault-and-battery claim after dismissal of the sole federal claim.

HOLDINGS

1. The court granted Knox's motion to accept his objections out of time.
2. Counts II, III, and IV were time-barred, and dismissal with prejudice was appropriate because amendment would be futile.
3. Vicarious liability and respondeat superior are theories of liability, not independent causes of action; an underlying tort must be alleged to support vicarious liability.
4. The court declined to exercise supplemental jurisdiction over Count I, the state-law assault-and-battery claim, after dismissal of the sole federal claim.

KEY QUOTATIONS

"Vicarious liability is not an independent cause of action recognized under Alabama law."

"The court agrees with the Magistrate Judge's finding that because Knox's sole federal claim is due to be dismissed, further exercise of supplemental jurisdiction should be declined."

FACTUAL BACKGROUND

Knox asserted federal and state-law claims against Medtronic, PLC, and others, including assault and battery, a federal claim under 42 U.S.C. § 1985, and a vicarious-liability or respondeat-superior claim. The magistrate judge determined that Counts II, III, and IV were untimely, that Count V failed to state an independent claim, and that supplemental jurisdiction over Count I should be declined after dismissal of the federal claim. Knox agreed that Counts II, III, and IV were untimely but objected to the treatment of Counts I and V.

PROCEDURAL HISTORY

Knox filed the action on December 11, 2025, along with a motion to proceed in forma pauperis. The magistrate judge recommended dismissal of Counts II, III, and IV as time-barred, Count V for failure to state a claim, and Count I under 28 U.S.C. § 1367(c). The district court granted leave to file late objections, overruled the objections, adopted the recommendation, dismissed Count I without prejudice subject to refiling in state court, and dismissed Counts II, III, IV, and V with prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Raddatz, 447 U.S. 667, 673, 675 (1980)
- Ex parte City of Birmingham, No. SC-2024-0700, 2025 WL 2680098, at *2 n.1 (Ala. Sept. 19, 2025)
- Moore v. City of Dothan Ala., 557 F. Supp. 3d 1211, 1217 (M.D. Ala. 2021)
- Raney v. Allstate Ins. Co., 370 F.3d 1086, 1088-89 (11th Cir. 2004)

OPINION

Mark Knox v. Medtronic, PLC, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MARK KNOX,)

) Plaintiff,)) v.) CASE NO. 2:25-cv-00975-BL) MEDTRONIC, PLC, et al.,)) Defendants.)

ORDER

Mark Knox initiated this action on December 11, 2025, (doc. 1) and simultaneously sought leave to proceed in forma pauperis (doc. 2). On December 29, 2025, the Magistrate Judge recommended that the court dismiss Counts II, III, and IV as being time-barred; dismiss Count V for failure to state a claim; and dismiss Count I pursuant to 28 U.S.C. § 1367(c). Knox filed objections to the Magistrate Judge’s conclusions on Counts I and V (doc. 9) accompanied by a motion for leave to file the objections out of time (doc. 8). A district judge must “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”). A district court’s obligation to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made” requires a district judge to “give fresh consideration to those issues to which specific objection has been made by a party.” United States v. Raddatz, 447 U.S. 667, 673, 675 (1980) (internal quotations and citations omitted) (emphasis in Raddatz). A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Upon consideration of the Recommendation of the Magistrate Judge and after careful review of the file, the court will adopt the Recommendation and dismiss this action. The court hereby GRANTS Knox’s Motion to Accept Objections (out of time). (Doc. 8). In that filing, Knox expressly agrees that Counts II, III, and IV were filed out of time,

and moves to dismiss those counts. (Doc. 8). The court finds that Counts II, III and IV are time barred and will adopt the Magistrate Judge's recommendation to dismiss them with prejudice as amendment would be futile. As to Counts I and V, Knox simply states: "These claims are timely, are grounded in the intentional torts committed by Defendant's employee, and fall within the six-year limitations period for intentional assault and battery actions." (Doc. 8). The court will overrule the objection. As to Count V ("Vicarious Liability / Respondeat Superior"), the Magistrate Judge correctly notes that although Alabama state law permits tort liability to be imposed vicariously in certain circumstances, an underlying tort must be alleged. Vicarious liability is not an independent cause of action recognized under Alabama law. See, e.g., *Ex parte City of Birmingham*, No. SC-2024-0700, 2025 WL 2680098, at *2 n.1 (Ala. Sept. 19, 2025) (explaining that "the doctrine of 'respondeat superior' is a theory of liability, not a legal claim") (citations omitted). After the dismissal of Knox's underlying claims, he cannot proceed on his vicarious liability theory. The court exercised supplemental jurisdiction over Count I ("Assault and Battery") under 28 U.S.C. § 1367(a), based on the federal question presented by Knox's § 1985 claim in Count IV. The court agrees with the Magistrate Judge's finding that because Knox's sole federal claim is due to be dismissed, further exercise of supplemental jurisdiction should be declined. See 28 U.S.C. §1367(c) ("The district courts may decline to exercise supplemental jurisdiction over a claim under subsection (a) if . . . (3) the district court has dismissed all claims over which it has original jurisdiction."); see also *Moore v. City of Dothan Ala.*, 557 F. Supp. 3d 1211, 1217 (M.D. Ala. 2021) ("Where all federal claims are dismissed prior to trial, district courts are encouraged to dismiss any remaining state-law claims.") (citing *Raney v. Allstate Ins. Co.*, 370 F.3d 1086, 1088–89 (11th Cir. 2004), and identifying factors for consideration). After careful review of the file and upon consideration of the Recommendation of the Magistrate Judge, the court **OVERRULES** the Plaintiff's objections (doc. 9); **ADOPTS** the Recommendation of the Magistrate Judge (doc. 7); **DISMISSES** Count I without prejudice, subject to being refiled in state court; and **DISMISSES** Counts II, III, [IV, and V with prejudice. The court will enter a separate final judgment. **DONE** and **ORDERED** on this the 10th day of April, 2026.

BILL LEWIS

UNITED STATES DISTRICT JUDGE