

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

GREGORY FORSYTHE,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF DOTHAN, *et al.*,)
)
 Defendants.)

CASE NO. 1:10-cv-1063-ID
(WO)

ORDER

The Magistrate Judge entered a Recommendation (Doc. #16) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED as follows:

- a. the Recommendation (Doc. #16) of the Magistrate Judge is ADOPTED;
- b. the motion to dismiss filed by Defendants is GRANTED to the extent defendants seek dismissal of this case due to the plaintiff’s failure to properly exhaust an administrative remedy previously available to him at the Dothan City Jail; and
- c. this case is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) due to Plaintiff’s failure to properly exhaust an

administrative remedy as such remedy is no longer available to him.

A separate judgment shall issue.

Done this 29th day of July, 2011.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE