

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

CHRISTOPHER C. LIVELY, #291731,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:12cv795-WHA
)	
SHERIFF WALLY OLSEN, et al.,)	
)	
Defendants.)	

ORDER AND OPINION

On August 20, 2015, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 52). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. Defendants’ motion to dismiss (Doc. # # 17, 24) is GRANTED to the extent that defendants seek dismissal of this case due to plaintiff’s failure to exhaust an administrative remedy available to him at the Dale County Jail prior to initiating this cause of action;
2. This case is DISMISSED with prejudice under 42 U.S.C. § 1997e(a) for plaintiff’s failure to exhaust an administrative remedy available to him at the Dale County Jail; and
3. No cost are taxed.

Done this the 15th day of September, 2015.

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE