

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

JESSIE LEWIS, JR., #191 868)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:17-CV-222-WKW
)	[WO]
HOUSTON COUNTY,)	
ALABAMA and TONY WEBER,)	
)	
Defendants.)	

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 32.)

There being no timely objection filed to the Recommendation, and based on an independent review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 32) is ADOPTED;

2. The motion to dismiss, filed by Defendants Houston County, Alabama, and Tony Weber,¹ (Doc. # 26) is GRANTED to the extent Defendants seek dismissal of this action due to Plaintiff Jessie Lewis, Jr.’s failure to exhaust an administrative remedy available to him at the Houston County Community Corrections Facility prior to initiating this action;

¹ Plaintiff misspelled Defendant Tony Weber’s name. This Order uses the proper spelling.

3. This action is DISMISSED with prejudice under 42 U.S.C. § 1997e(a) for Mr. Lewis's failure to exhaust an administrative remedy previously available to him at the Houston County Community Corrections Facility; and

4. No costs are taxed.

It is further ORDERED that the Clerk of the Court is DIRECTED to amend the caption of this case as it appears on this Order to reflect the individual Defendant's correct name.

A final judgment will be entered separately.

DONE this 5th day of December, 2017.

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