

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

MICHAEL LYNN EDWARDS, #249580,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:08-CV-564-TMH
	)	[WO]
	)	
DR. PEASANT,	)	
	)	
Defendant.	)	

**ORDER**

On December 10, 2008, the Magistrate Judge filed a Recommendation (Doc. 17) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Recommendation (Doc. 17) of the Magistrate Judge is ADOPTED;
2. Defendant’s motion for summary judgment (Doc. 12) be GRANTED to the extent Defendant seeks dismissal of this case due to Plaintiff’s failure to properly exhaust available administrative remedies; and
3. This case be DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for Plaintiff’s failure to exhaust administrative remedies available to him during his confinement at the Ventress Correctional Facility.

An appropriate judgment will be entered.

Done this 30th day of December, 2008.

**/s/ Truman M. Hobbs**

**SENIOR UNITED STATES DISTRICT JUDGE**