

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

WILLIE THOMAS CARTER, #239835,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:08cv713-TMH
)	
J.G. GILES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The Magistrate Judge filed a Recommendation (Doc. #23) 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 that the RECOMMENDATION (Doc. #23) of the Magistrate Judge is ADOPTED. Defendant Giles’ Motion for Summary Judgment (Doc. #12) is GRANTED. Plaintiff’s 42 U.S.C. § 1983 claims against Defendant Giles are DISMISSED with prejudice for the reasons stated in the Magistrate Judge’s Recommendation. The Motion to Dismiss (Doc. #15) by Defendants Peasent, Burks, and Correctional Medical Services is GRANTED. Plaintiff’s 42 U.S.C. § 1983 claims against Defendants Peasent, Burks, and Correctional Medical Services are DISMISSED without prejudice due to Plaintiff’s failure to exhaust his administrative remedies. An appropriate judgment will be entered.

Done this 13th day of January, 2009.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE