

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

DERRICK JAROD HARRIS, #192462,)
)
Plaintiff,)
)
v.)
)
SGT. WHITTEN, *et al.*,)
)
Defendants.)

CASE NO. 2:10-cv-195-TMH

ORDER

The Magistrate Judge entered a Recommendation (Doc. #31) 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. #31) of the Magistrate Judge is ADOPTED;
- b. Defendants' Motion for Summary Judgment is GRANTED; 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 administrative remedies previously available to him at the Elmore County Jail.

A separate judgment shall issue.

Done this 15th day of March, 2011.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE