

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

JOSE PALOMAR-MARTINEZ,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:11cv780-TMH
)	
PRESTON HUGHES (CAPT.), et al.,)	
)	
Defendants.)	

ORDER AND OPINION

On January 12, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 14). 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 for summary judgment (Doc. # 11) is GRANTED to the extent that defendants seek dismissal of this case due to plaintiff’s failure to properly exhaust an administrative remedy previously available to him at the Covington County Jail; and
2. This case is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. §1997e(a) for plaintiff’s failure to exhaust an administrative remedy available to him during his confinement in the Covington County Jail.

Done this the 1st day of February, 2012.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE