

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

ALTERRA BREWINGTON,	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 2:11cv793-TMH
	)	(WO)
D. DANIELS, <i>et al.</i> ,	)	
Defendants.	)	

**OPINION and ORDER**

On November 7, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 27). 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 as follows that:

1. The Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. The defendants’ motion for summary judgment be and is hereby GRANTED to the extent the defendants seek dismissal due to the plaintiff’s failure to properly exhaust administrative remedies;
3. This case be and is hereby DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for the plaintiff’s failure to properly exhaust an administrative remedy available to him during his confinement in the Kilby Correctional Facility;. and
4. No costs be and are TAXED herein.

Done this the 30th day of November, 2012.

/s Truman M. Hobbs  
 TRUMAN M. HOBBS  
 SENIOR UNITED STATES DISTRICT JUDGE