

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

LEONARD DENSON, #262564,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:11cv983-TMH
	)	
DR. PEASANT, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On February 23, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 12). 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. The motion to dismiss filed by defendants (Doc. # 10) is GRANTED to the extent defendants seek dismissal of this case due to plaintiff’s failure to properly exhaust an administrative remedy available to him at the Ventress Correctional Facility.

2. This case is DISMISSED without prejudice pursuant to the provisions of 42 U.S.C. § 1997e(a) for plaintiff’s failure to exhaust an administrative remedy available to him at the Ventress Correctional Facility.

Done this the 14<sup>th</sup> day of March, 2012.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE