

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

SAMUEL EDWARD CARTER,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:12cv-270-WHA
)	
PRESTON HUGHES, et al.,)	(WO)
)	
Defendants.)	

ORDER

No timely objection having been filed to the Recommendation of the Magistrate Judge (Doc. #25), entered on January 9, 2014, and following a review of the file, the court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby ORDERED as follows:

1. The Defendants’ Motion for Summary Judgment is GRANTED to the extent that the Defendants seek dismissal of this case due to the Plaintiff’s failure to properly exhaust an administrative remedy previously available to him in the Covington County Jail.

2. This case is 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 provided to him during his confinement in the Covington County Jail, as this remedy is no longer available to him with respect to the claims presented in this action.

DONE this 4th day of February, 2014.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE