

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

TOMMY BASS, #122 504,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:13-CV-594-WHA
)	[WO]
WARDEN KENNETH SCONYERS, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On August 4, 2016, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 43) 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 this case be and is hereby DISMISSED as follows:

1. The deliberate indifference to safety claim against Defendant Sconyers is DISMISSED as moot;
2. The correctional defendants’ motion for summary judgment on the remaining § 1983 claims (Doc. # 33) is GRANTED;
3. The motion to dismiss filed by the medical defendants (Doc. # 24) is GRANTED to the extent the medical defendants seek dismissal of this case due to Plaintiff’s failure to properly exhaust an administrative remedy prior to filing this case;
4. This case is DISMISSED with prejudice;
5. Final Judgment will be ENTERED in favor of Defendants.

Done, this 25th day of August, 2016.

/s/ W. Harold Albritton
UNITED STATES DISTRICT JUDGE