

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

HAROLD WILLIAMS, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 RICH HALLWORTH, CEO )  
 Corizon Health Care, in )  
 his official and )  
 individual capacities, )  
 et al., )  
 )  
 Defendants. )

CIVIL ACTION NO.  
2:15cv584-MHT  
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit contending that he was denied constitutionally adequate medical care related to his colostomy. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion to dismiss for failure to exhaust administrative remedies, or, in the alternative, for summary judgment should be granted. There are no objections to the recommendation. After an independent and de novo review of the record, the

court concludes that the magistrate judge's recommendation should be adopted to the extent that it recommends granting summary judgment. However, because the court cannot resolve the exhaustion issue on the record before it without an evidentiary hearing, the court does not adopt the portion of the recommendation regarding exhaustion.

An appropriate judgment will be entered.

DONE, this the 31st day of August, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE