

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

MARCUS MONTEZ SPANGLER,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:16cv793-MHT
)	(WO)
MS. DUFFELL,)	
)	
Defendant.)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state inmate, filed this lawsuit complaining that he did not receive medical care ordered by a physician for an injured foot. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendant's motion to dismiss should be granted based on plaintiff's failure to exhaust the administrative remedy process before filing this lawsuit, and that this case should be dismissed without prejudice. There are no objections to the recommendation. Because plaintiff has failed to offer any explanation for his failure to file a grievance

appeal, and after an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 19th day of June, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE