

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.              | ) |                  |

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 24) is adopted.

(2) Defendant's motion to dismiss (doc. no. 22) is granted on the basis of failure to exhaust administrative remedies.

(3) This lawsuit is dismissed without prejudice.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

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

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE