

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

SEAN M. CARTER, #267439,)
)
Plaintiff,)
)
v.)
)
JAY JONES, *et al.*,)
)
Defendants.)

CASE NO. 3:09-cv-582-ID
[WO]

ORDER

The Magistrate Judge entered a Recommendation (Doc. No. 25) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION of the Magistrate Judge is ADOPTED. The Defendants' Motion For Summary Judgment (Doc. No. 18) is GRANTED to the extent Defendants seek dismissal of this case due to Plaintiff's failure to properly exhaust available administrative remedies. It is further

ORDERED that this case is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) due to Plaintiff's failure to exhaust administrative remedies available to him during confinement in the Lee County Detention Center.

A separate judgment shall be entered.

Done this 9th day of November, 2009.

/s/ Ira DeMent

SENIOR UNITED STATES DISTRICT JUDGE