

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

SEAN M. CARTER,)
)
Plaintiff,)
)
v.)
)
SHERIFF J. JONES, *et al.*,)
)
Defendants.)

CASE NO. 3:09-cv-606-ID
[WO]

ORDER

On November 25, 2009, the Magistrate Judge filed a Recommendation in this case (Doc. No. 25), to which no timely objections have been filed. Upon an independent review of the file in this case and upon CONSIDERATION of the Recommendation of the Magistrate Judge, said Recommendation is hereby adopted, and it is ORDERED that Defendants' motion for summary judgment (Doc. No. 22) be and the same is hereby GRANTED to the extent Defendants seek dismissal of this case due to Plaintiff's failure to properly exhaust available administrative remedies at the Lee County Detention Center.

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 his available administrative remedies. A separate judgment shall be entered.

Done this 22nd day of December, 2009.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE