

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

| | | |
|-----------------------|---|-----------------------------|
| DEMETRIUS M. EDWARDS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIV. ACT. NO. 3:09cv660-MEF |
| |) | (WO) |
| OFC. SPRAGGINS, |) | |
| |) | |
| Defendant. |) | |

ORDER

On July 11, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 41). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED and ADJUDGED as follows that:

1. The Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. The defendant’s motion for summary judgment be and is hereby GRANTED to the extent that the defendant seeks dismissal of this case for the plaintiff’s failure to exhaust available administrative remedies.
3. This case be and is hereby DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for the plaintiff’s failure to exhaust an administrative remedy available to him during his confinement in the Lee County Detention Center.

4. No costs be and are hereby TAXED herein

Done this the 17th day of August, 2011.

/s/ Mark E. Fuller

UNITED STATES DISTRICT JUDGE