

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

RONALD DEAN WOOTEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case Number 4:14-cv-00206-AKK-JHE
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

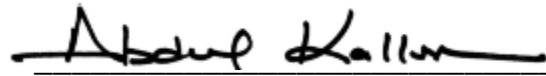
**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on September 1, 2015, recommending that the defendant’s motion for summary judgment be granted due to the plaintiff’s failure to exhaust his administrative remedies as required by the Federal Tort Claims Act, 28 U.S.C. § 1346. Doc. 24. Although the parties were allowed fourteen (14) days to file objections, the court has received no objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge’s report is due to be and is hereby is **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, to the extent the plaintiff’s claims are based on the October 24, 2012 Administrative Decision, summary judgment is due to be **GRANTED** because no genuine issues of material fact remain and the defendant is

entitled to judgment in its favor on any such claims. To the extent the plaintiff's claims are based on injuries he sustained after the October 24, 2012 Administrative Decision, those claims are due to be **DISMISSED WITHOUT PREJUDICE** due to the plaintiff's failure to exhaust his administrative remedies. A Final Judgment will be entered.

**DONE** the 27th day of October, 2015.

A handwritten signature in black ink, appearing to read "Abdul Kallon", written over a horizontal line.

**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE