

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

THARTHUR JOHNSON, JR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-0548-LSC-JHE
)	
JUSTIN PHELPS,)	
)	
Defendant.)	

MEMORANDUM OPINION

The magistrate judge filed a report on December 22, 2015, recommending this action be dismissed without prejudice, pursuant to 28 U.S.C. § 1997e(a), for failure to exhaust administrative remedies. (Doc. 14). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen days, he has failed to respond to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, in accordance with 28 U.S.C. § 1997e(a), this action is due to be dismissed without prejudice for failure to exhaust administrative remedies.

A Final Judgment will be entered.

DONE AND ORDERED ON JANUARY 19, 2016.



 L. SCOTT COOGLER
 UNITED STATES DISTRICT JUDGE

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