

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

MICHAEL DALE ATKINS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:15-cv-00229-LSC-JEO
)	
BLOUNT COUNTY JAIL, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

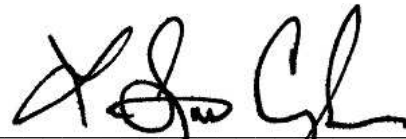
The magistrate judge filed a report on November 14, 2016, recommending the defendants’ motion for summary judgment be treated as a motion to dismiss. (Doc. 33). The magistrate judge further recommended that the defendants’ motion to dismiss be granted and the claims be dismissed without prejudice pursuant to 42 U.S.C. § 1997e(a) for the plaintiff’s failure to exhaust administrative remedies. (*Id.*). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, no objections have been received by the court.

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, this

action is due to be dismissed without prejudice pursuant to 42 U.S.C. § 1997e(a) for the plaintiff's failure to exhaust administrative remedies.

A Final Judgment will be entered.

DONE AND ORDERED ON DECEMBER 5, 2016.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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