

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

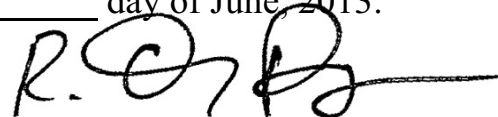
VICTOR ALLEN THOMAS,)
)
 Plaintiff,)
)
 v.) **Case No. 4:11-cv-02813-RDP-RRA**
)
 DR. TALLEY, et al.,)
)
 Defendants.)

MEMORANDUM OF OPINION

The Magistrate Judge filed a Report and Recommendation on May 13, 2013, recommending that this cause be dismissed without prejudice due to Plaintiff's failure to exhaust his administrative remedies under 42 U.S.C. § 1997e(a). (Doc. 23.) No objections have been filed by any party.

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 **ADOPTED** and his Recommendation is **ACCEPTED**. Accordingly, this action is due to be dismissed without prejudice. A Final Judgment will be entered.

DONE and ORDERED this 10th day of June, 2013.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE