

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

PAUL WILLIAM BRIAN BODY, )  
)  
Plaintiff )  
)  
v. )  
)  
SHERIFF TODD ENTREKIN, et al., )  
)  
Defendants )

Case No. 4:14-cv-02460-MHH-HGD

**MEMORANDUM OPINION**

The magistrate judge filed a report on June 16, 2016, recommending that the defendants’ special report be treated as a motion to dismiss and that the motion be granted. (Doc. 30). The magistrate judge advised the parties of their right to file specific written objections within fourteen (14) days. (*Id.*). To date, the Court has received no objections.<sup>1</sup>

A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report de novo and reviews for plain error

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<sup>1</sup> The copy of the report that the Clerk of Court mailed to Mr. Body was returned to the court marked “Unable to forward. Return to sender.” (Doc. 31).

factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also LoConte v. Dugger*, 847 F.2d 745, 749 (11 th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).<sup>2</sup>

The Court has reviewed the complaint, the special report and all supporting materials, and the report and recommendation and has found no errors of law or fact in the report and recommendation. Therefore, the Court accepts the magistrate judge’s recommendation and dismisses this action without prejudice pursuant to 42 U.S.C. § 1997e(a) for failure to exhaust administrative remedies.

DONE and ENTERED this 31<sup>st</sup> day of August, 2016.

  
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MADELINE HUGHES HAIKALA  
U.S. DISTRICT JUDGE

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<sup>2</sup> When a party objects to a report in which a magistrate judge recommends dismissal of the action, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).