

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

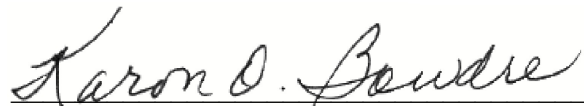
DENTARIOUS LAMAR JACKSON,)	
)	
Plaintiff,)	
)	
vs.)	5:11-CV-3942-KOB-RRA
)	
OFFICER DEAN, et al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on April 15, 2013, recommending that the court dismiss this action without prejudice for the plaintiff's failure to exhaust his administrative remedies. (Doc. 26). No party has filed any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court ADOPTS the magistrate judge's report and ACCEPTS his recommendation. The court finds that the plaintiff's complaint fails to state a claim upon which relief can be granted because he failed to exhaust his administrative remedies as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a). The court also finds that defendants Morgan County Jail and the Morgan County Sheriff's Department are not legal entities capable of being sued. Therefore, the court finds that this action is due to be DISMISSED WITHOUT PREJUDICE. The court will enter a separate Final Judgment.

DONE and ORDERED this 13th day May, 2013.



 KARON OWEN BOWDRE
 UNITED STATES DISTRICT JUDGE