

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

ADDONES SPENCER,
REG. #11060-027

PLAINTIFF

2:12-cv-00057-SWW-JTK

S. PHILLIPS, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that Defendants' Motion to Dismiss, or in the alternative, for Summary Judgment (Doc. No. 45), is GRANTED, and this case is DISMISSED without prejudice for failure to exhaust administrative remedies.

IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunctive Relief (Doc. No. 67) is DENIED.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 14th day of February 2013.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE