

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

PHILLIP NATHAN KERCH, Plaintiff, v. Warden GLEN JOHNSON, et al., Defendants. <hr style="width:48%; margin-left:0;"/>)))))))))))	CIVIL ACTION NO. 5:17-CV-186 (MTT)
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ORDER

United States Magistrate Judge Charles H. Weigle recommends granting Defendants Glen Johnson, Caleb McClairen, and Antwaun Redding’s Motion to Dismiss (Doc. 24) because Plaintiff Phillip Nathan Kerch has failed to exhaust his administrative remedies pursuant to the Prison Litigation Reform Act. Doc. 41 at 1. The Magistrate Judge also recommends denying the Plaintiff’s Motion for Preliminary Injunction (Doc. 39). *Id.* The Plaintiff has objected to the Recommendation, and the Defendants have filed a response. Docs. 42; 43.

Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff’s objection and made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. The Court has reviewed the Recommendation and accepts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Defendants’ motion to dismiss (Doc. 24) is **GRANTED**, and the Plaintiff’s claims are

DISMISSED without prejudice. The Plaintiff's Motion for Preliminary Injunction (Doc. 39) is **DENIED**.

SO ORDERED, this 17th day of July, 2018.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT