

IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF GEORGIA
 AUGUSTA DIVISION

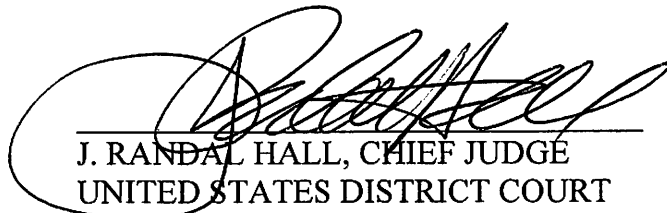
JOSEPH TIGER D. PRINCE,)	
)	
Plaintiff,)	
)	
v.)	CV 118-011
)	
ANTHONY KNIGHT and)	
LUCRETIA STROUD,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge’s Report and Recommendation, to which objections have been filed. (Doc. no. 43.) The Magistrate Judge recommended granting Defendants’ motion to dismiss because Plaintiff did not exhaust his administrative remedies prior to commencing this lawsuit. (See doc. no. 39.) Plaintiff argues in his objections he has exhausted his administrative remedies, but none of the arguments change the Magistrate Judge’s correct analysis that Plaintiff had not exhausted his remedies prior to commencement of this lawsuit in the Northern District of Georgia. (See id. at 8-11.) As the Prison Litigation Reform Act requires exhaustion prior to commencement of a lawsuit in federal court, and as Plaintiff failed to exhaust his administrative remedies before initiating suit, Defendants’ motion to dismiss is properly granted. (See id. at 5-6 and cases cited therein explaining exhaustion is precondition to filing suit in federal court.)

Accordingly, the Court **OVERRULES** all objections, **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, and **GRANTS** the motion to dismiss. (Doc. no. 29.) The case is **DISMISSED** without prejudice and shall be **CLOSED**.

SO ORDERED this 17th day of August, 2018, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA