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

EDWARD PALMORE,

Plaintiff,

VS.

CIVIL ACTION NO.: CV510-040

TINA TUCKER and STEVEN CHAMBLESS,

Defendants.

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Plaintiff filed Objections and a Notice of Appeal.¹ In his Objections, Plaintiff reiterates the contentions set forth in his Response to Defendants' Motion for Summary Judgment. Plaintiff also provided a notice regarding the revisions to the statewide grievance procedure. As the Magistrate Judge noted, the grievance procedures were revised in December 2012, and the alleged events giving rise to Plaintiff's Complaint occurred in 2009. (Doc. No. 154, pp. 2–3). Accordingly, the revised grievance procedure is inapplicable. In addition, Plaintiff offers nothing to explain why he submitted this notice.

¹ Plaintiff's Notice of Appeal contains no substantive contentions. Instead, Plaintiff states that he already filed Objections to the Magistrate Judge's Report and Recommendation.

Plaintiff's Objections are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Motion for Summary Judgment is **DENIED**. Defendants' Motion for Summary Judgment is **GRANTED**. Plaintiff's Complaint is **DISMISSED**, without prejudice, due to his failure to exhaust his available administrative remedies prior to the filing of this cause of action. The Clerk of Court is directed to file the appropriate judgment of dismissal.

SO ORDERED, this $\frac{\gamma^{\gamma}}{2}$ day of $\frac{1}{2}$

_, 2014.

LISA GODBEY WOOD, CHIEF JUDGE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA