

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

EARL B. YOUNG (#105511)

VERSUS

CORNELL HUBERT, ET AL

CIVIL ACTION

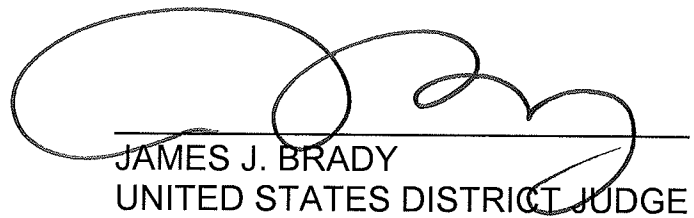
NO. 07-644-JJB-DLD

RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated March 3, 2010 (doc. no. 51) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, defendants' Motion for Summary Judgment for Failure to Exhaust Administrative Remedies is GRANTED and this action is DISMISSED without prejudice for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling the claims in forma pauperis status.

Baton Rouge, Louisiana, this 5th day of April, 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE