

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

THOMAS PHILLIPS (#94730)

VERSUS

BURL CAIN, WARDEN, ET AL.

CIVIL ACTION

NO. 09-999-JJB-CN

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 Christine Noland dated February 3, 2010 (doc. no. 10) 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, this action is DISMISSED, without prejudice, as a result of the plaintiff's failure to exhaust administrative remedies as mandated by 42 U.S.C. § 1997e.

Baton Rouge, Louisiana, this 20th day of February, 2010.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA