

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**ABDUL AL-MUMIT
ASAD SHARIFF**

PLAINTIFF

v.

CIVIL ACTION NO. 1:16cv131-HSO-JCG

RODERICK EVANS, *et al.*

DEFENDANTS

FINAL JUDGMENT

This matter came on to be heard on the Report and Recommendation [57] of United States Magistrate Judge John C. Gargiulo, entered in this case on August 9, 2017; the Motion for Summary Judgment for Failure to Exhaust Administrative Remedies [45] filed by Defendants Roderick Evans, Latrina Gamble, and Jaclynn Johnson on May 8, 2017; and the Motion for Summary Judgment Based on Plaintiff's Failure to Exhaust Administrative Remedies [51] filed by Defendant Nurse Dawn M. Brown on June 2, 2017. The Court, after a full review and consideration of the Magistrate Judge's Report and Recommendation [57], Defendants' Motions [45], [51], the record as a whole, and relevant legal authority, finds that in accord with its Order entered herewith,

IT IS, ORDERED AND ADJUDGED, that this civil action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available administrative remedies.

SO ORDERED AND ADJUDGED, this the 12th day of September, 2017.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE