

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

DAVID JACKSON	§	PLAINTIFF
	§	
v.	§	CIVIL NO.: 1:16cv199-HSO-JCG
	§	
MARSHALL FISHER <i>in his</i>	§	
<i>individual and official capacities</i>	§	
<i>as Commissioner of MDOC;</i>	§	
JACQUELYN BANKS <i>in her</i>	§	
<i>individual and official capacities</i>	§	
<i>as Superintendent of SMCI; and</i>	§	
CENTURION ( <i>Company</i> ), <i>Medical</i>	§	
<i>Provider</i>	§	DEFENDANTS

**FINAL JUDGMENT**

This matter is before the Court on the Report and Recommendation [38] of United States Magistrate Judge John C. Gargiulo, entered on November 17, 2016, recommending that the Court dismiss without prejudice the Complaint [1] filed by Plaintiff David Jackson for failure to exhaust available administrative remedies. The Court, after a full review and consideration of the pleadings on file, the record as a whole, and relevant legal authority, finds that in accord with its Order entered herewith adopting the Report and Recommendation [38],

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, this civil action is **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED AND ADJUDGED**, this the 6<sup>th</sup> day of February, 2017.

*s/ Halil Suleyman Ozerden*  
HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE