

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LLOYD NEIL POPE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-1332-F
)	
HOLLY WIEDOW, et al.,)	
)	
Defendants.)	

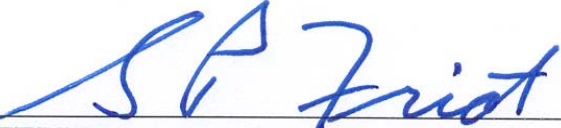
ORDER

Plaintiff, a state prisoner appearing *pro se* and *in forma pauperis* whose pleadings are liberally construed, brings this action pursuant to 42 U.S.C. § 1983 complaining of conditions of confinement at the Lawton Correctional Facility, a private prison. The September 25, 2009 Report and Recommendation of Magistrate Judge Bana Roberts (doc. no. 32) recommends that defendants’ motion for summary judgment (doc. no. 18) be granted and that judgment be entered in favor of defendants based on plaintiff’s failure to exhaust his administrative remedies before filing this lawsuit. The Report further recommends that plaintiff’s Motion for Status Report (doc. no. 31) be denied as moot. The Report also advises that any objection to the Report must be filed by October 16, 2009, and that failure to make timely objection to the Report waives the right to appellate review of both factual and legal questions. No objection to the Report has been filed, and no request for an extension of time within to file such an objection has been sought.

Having conducted its own review, and with there being no objection, the court finds that it agrees with the Report. It further finds that no purpose would be served by stating any further analysis here.

Accordingly, the Report and Recommendation of Magistrate Judge Roberts is **ACCEPTED, ADOPTED** and **AFFIRMED** in its entirety. Defendants' motion for summary judgment is **GRANTED**. Plaintiff's Motion for Status Report is **DENIED AS MOOT**.

Dated this 4th day of November, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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