

Recommendation and opines that the defendants' motion for summary judgment² should be granted for plaintiff's failure to exhaust his administrative remedies. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation which was docketed on August 7, 2014. The plaintiff has not filed timely objections. Instead, plaintiff seeks an extension of time to file a response to the Report, noting that he is responding to multiple orders dealing with separate cases; that he has to hand write all his pleadings and copies; and that he is without legal counsel and must wait for scheduled times to perform legal research.

As the Magistrate Judge notes in his Report and Recommendation, the plaintiff has failed to exhaust his administrative remedies as required under the Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a). The Magistrate Judge directed the defendants to supplement their motion for summary judgment on this specific issue and opines that the case should be dismissed without prejudice on the basis of failure to exhaust. This court agrees.

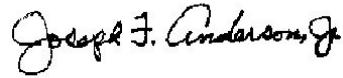
After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court adopts and incorporates the Report herein by reference. Accordingly, the defendants' motion for summary judgment (ECF No. 70) is granted with respect to the plaintiff's failure to exhaust his administrative remedies. The dismissal of this

² An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Plaintiff responded to the motions.

action shall be without prejudice. Plaintiff's motion for an extension of time to file objections (ECF No. 111) is denied. Finally, plaintiff's remaining motions (ECF Nos. 22, 29, 36, and 49) are now moot.

IT IS SO ORDERED.

September 3, 2014
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge