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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NAKIA PETTUS,	)	
	)	
Plaintiff,	)	No. C 08-00741 CRB (PR)
	)	
v.	)	ORDER DENYING
	)	MOTION TO DISMISS
UNITED STATES BUREAU OF	)	
PRISONS, et al.,	)	
	)	
Defendant(s).	)	

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Now pending before the Court is Defendant D. Smith’s Motion to Dismiss Plaintiff’s claims for failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a). In response to this Court’s Order of November 18, 2009, Plaintiff has filed a Supplemental Brief in which he asserts that he was “deprived informally [sic] and formal review of grievance forms at all stages by [prison] administrative personnel.” Supp. at 3.

The Court finds that Plaintiff has sufficiently alleged that he availed himself of the Bureau of Prisons grievance process. Accordingly, the motion to

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1 dismiss for failure to exhaust is DENIED..

2 IT IS SO ORDERED.

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4 DATED: February 16, 2010



5 CHARLES R. BREYER  
6 United States District Judge

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