

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

Shawn Tompkins,

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Plaintiff,

)

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v.

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Case No: 15 C 50206

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Whiteside County Jail, et al.

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Defendants.

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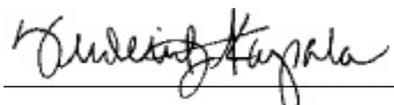
Judge Frederick J. Kapala

ORDER

Before the court is a report and recommendation (“R&R”) [70] by the magistrate judge that defendants’ affirmative defense of failure to exhaust administrative remedies be rejected and this action proceed to the merits of plaintiff’s claims. After being afforded a sufficient opportunity, neither party has offered any objection to the R&R. Accordingly, there being no written objection to the R&R of the magistrate judge, see 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Thomas v. Arn, 474 U.S. 140, 149-50 (1985), and the court having reviewed the R&R, the court accepts the R&R and rejects defendants’ affirmative defense of failure to exhaust administrative remedies and this action shall proceed to the merits of plaintiff’s claims.

Date: 2/26/2018

ENTER:



FREDERICK J. KAPALA

District Judge