

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

Anthony C. Lymon (B05489),)
)
)
Plaintiff,)
)
v.)
)
Wexford Health Service, Inc., *et al.*,)
)
Defendants.)
)
)

Case No: 17 CV 50093

Judge Frederick J. Kapala

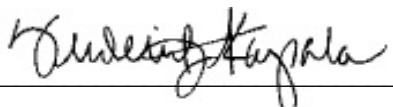
Magistrate Judge Iain D. Johnston

ORDER

Before the court is a report and recommendation (“R&R”) [106] from the magistrate judge that, in response to defendants’ affirmative defense of failure to exhaust administrative remedies, and after conducting a hearing under Pavey v. Conley, 544 F.3d 739, 742 (7th Cir. 2008), this court dismiss plaintiff’s claims against Dr. James without prejudice and all claims against the remaining defendants be allowed to proceed. Accordingly, there being no written objection to the magistrate judge’s R&R, 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 record and the R&R, the court accepts the R&R and dismisses without prejudice the claim against Dr. James.

Date: 12/3/2018

ENTER:



FREDERICK J. KAPALA
District Judge