

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIE HARRIS,

Plaintiff,

vs.

Case No. 10-CV-13434
HON. GEORGE CARAM STEEH

BROWN, NURSE ADERY,
and JOHN DOE,

Defendants.
_____ /

ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION [DOC. 26]

This matter is before the court on plaintiff Willie Harris' action alleging that defendants violated his rights by failing to provide him with appropriate medical care for his HIV infection. Defendant Adery filed a motion to dismiss for failure to exhaust administrative remedies. The Magistrate Judge issued a report and recommendation recommending that defendant's motion to dismiss be denied because defendant has not carried her burden of showing that plaintiff failed to exhaust his administrative remedies. Objections to that report have not been filed by defendant within the established time period. The court has reviewed the file, record, and magistrate judge's report and recommendation.

The court agrees with the analysis conducted by the magistrate judge, and therefore accepts her recommendation that defendant's motion to dismiss be DENIED.

Dated: June 6, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 6, 2011, by electronic and/or ordinary mail and also to Willie Harris at Ionia Maximum Correctional Facility, 1576 W. Bluewater Hwy., Ionia, MI 48846.

s/Josephine Chaffee
Deputy Clerk