

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY BOULDING,

Plaintiff,

No. 13-14325

v.

District Judge Robert H. Cleland
Magistrate Judge R. Steven Whalen

MICHIGAN DEPARTMENT OF
CORRECTIONS, ET AL.,

Defendants.

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ORDER

On January 6, 2015, I filed a Report and Recommendation (“R&R”) that Plaintiff’s complaint be dismissed without prejudice because he failed to exhaust his prison administrative remedies before filing suit in this Court, as required by 42 U.S.C. § 1997e(a). *See* Doc. #34. If this recommendation is accepted, the complaint will be dismissed, and there will be no discovery.

Therefore, Plaintiff’s Motion to Compel Discovery [Doc. #32] is DENIED WITHOUT PREJUDICE. If my R&R is not accepted, Plaintiff may renew his motion.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: January 9, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 9, 2015, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager