

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BILLY CROMER,

Plaintiff,

vs.

Case No. 13-CV-14822
HON. GEORGE CARAM STEEH

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

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ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION [DOC. 41]

This matter is before the court on plaintiff Billy Cromer's action alleging that defendants violated his rights while he was incarcerated at the St. Louis Correctional Facility in St. Louis, Michigan. Defendants filed a motion for summary judgment [doc. 28], with defendant Susan Havelka filing a separate motion for summary judgment [doc. 35] in which she adopts and incorporates the arguments advanced by her co-defendants. Plaintiff filed a motion for default judgment [doc. 30]. Magistrate Judge Majzoub issued a report and recommendation recommending that defendants' motions for summary judgment be granted on the basis that plaintiff failed to exhaust his administrative remedies. The Magistrate Judge further recommends that plaintiff's motion for default judgment be denied on both substantive and procedural grounds. Objections to the 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 defendants' motions for summary judgment be GRANTED and plaintiff's motion for default judgment be DENIED.

Dated: February 24, 2015

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 February 24, 2015, by electronic and/or ordinary mail and also on Billy Cromer #618377, Oaks Correctional Facility, 1500 Caberfae Highway, Manistee, MI 49660.

s/Barbara Radke
Deputy Clerk