

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ISAAH PRICE,

Plaintiff,

No. 14-CV-10194

vs.

Hon. Gerald E. Rosen

ANGELIQUE JORDAN, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on September 19, 2016

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the August 8, 2016 Report and Recommendation of United States Magistrate Judge Stephanie Dawkins Davis recommending (1) that the unserved defendant "Anderson" be dismissed from this matter, without prejudice, and (2) that Defendant Angelique Jordan's Motion for Summary Judgment be granted, and that Defendant Jordan be dismissed, without prejudice, based on Plaintiff's failure to exhaust administrative remedies; and no timely objections to the Magistrate Judge's Report and Recommendation having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Plaintiff's

Complaint in this case should be dismissed in its entirety, and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of August 8, 2016 [**Dkt. # 40**] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendant Anderson be, and hereby is, DISMISSED from this matter, without prejudice.

IT IS FURTHER ORDERED that Defendant Jordan's Motion for Summary Judgment [**Dkt. Nos. 27, 28, 29**] is hereby GRANTED and Plaintiff's Complaint against Defendant Jordan, accordingly, is DISMISSED, without prejudice, based on Plaintiff's failure to exhaust administrative remedies.

IT IS FURTHER ORDERED that Plaintiff's Motion to Appoint Counsel [**Dkt. # 39**] is DENIED as moot.

s/Gerald E. Rosen
United States District Judge

Dated: September 19, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 19, 2016, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135