

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MOSES KIRSCHKE,

Plaintiff,

v.

Case No. 20-11118

Honorable Victoria A. Roberts

SCOTT SCHOOLEY, ET AL.,

Defendants.

---

**AMENDED ORDER**

In its Order Granting Defendants' Motion for Partial Summary Judgment in Part and Denying it in Part (ECF No. 44), the Court said:

Kirschke's complaint contains nine claims. Defendants filed one motion for partial summary judgment seeking dismissal of eight of them for failure to exhaust: 1, 2, 3, 4, 5, 6, 7, and 8. Defendants concede that Kirschke exhausted claim 9.

On claims 1, 2, and 5, Kirschke was required to seek relief through the grievance process. He failed to do that.

The Court **GRANTS** summary judgment on claims 1, 2, and 5.

(*Id.*, PageID.1169)

The order should say:

Kirschke's complaint contains nine claims. Defendants filed one motion for partial summary judgment seeking dismissal of eight of them for failure to exhaust: 1, 2, 3, 4,

5, 6, 7, and 8. Defendants concede that Kirschke exhausted claim 9.

On claims 1, 2, 5, and 8, Kirschke was required to seek relief through the grievance process. He failed to do that.

The Court **GRANTS** summary judgment on claims 1, 2, 5, and 8.

**IT IS ORDERED.**

s/ Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: August 9, 2022