

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BILLIE FULKERSON #967488,

Plaintiff,

CASE NO. 1:16-cv-537

v.

HON. ROBERT J. JONKER

HEIDI WASHINGTON, *et al.*,

Defendant.

/

**ORDER APPROVING AND ADOPTING**  
**REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on November 3, 2016 (ECF No. 12). The Report and Recommendation was duly served on the parties no later than November 22, 2016 (ECF No. 13). No objections have been filed under 28 U.S.C. 636(b)(1)(C).

**ACCORDINGLY, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (ECF No. 12) is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant Holmes' Motion for Summary Judgment (ECF No. 11) is **GRANTED**, and Plaintiff's claims against Defendant Holmes are **DISMISSED** without prejudice for failure to exhaust administrative remedies.

**IT IS FURTHER ORDERED** that this matter is **TERMINATED**.

The Court discerns no good-faith basis for appeal of this matter. *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6<sup>th</sup> Cir. 1997); 28 U.S.C. § 1915(a)(3).

Dated: December 16, 2016

/s/ Robert J. Jonker

ROBERT J. JONKER

CHIEF UNITED STATES DISTRICT JUDGE