

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ROBERT SANGO,

Plaintiff,

v.

UNKNOWN VanWAGNER, et al.,

Defendants.

Case No. 2:15-CV-104

HON. GORDON J. QUIST

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Court has reviewed Magistrate Judge Greeley's January 20, 2017, Report and Recommendation recommending that Defendants' motion for summary judgment based on Plaintiff's failure to exhaust his available grievance remedies be denied in part and granted in part. The Report and Recommendation was duly served on the parties on January 20, 2017. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

THEREFORE, IT IS HEREBY ORDERED that the January 20, 2017, Report and Recommendation (ECF No. 18) is approved and adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment Based Solely on a Failure to Exhaust Administrative Remedies (ECF No. 11) is **DENIED IN PART AND GRANTED IN PART**. The motion is **granted** as to Plaintiff's claims against Defendant Bastian, which are **dismissed without prejudice**. The motion is denied with regard to Defendants VanWagner and Dessellier.

Dated: February 17, 2017

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE