

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

THOMAS E. CAMPBELL

PLAINTIFF

v.

No. 1:15CV35-GHD-DAS

ANGELA BROWN, ET AL.

DEFENDANTS

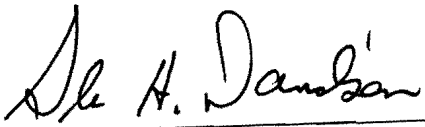
ORDER

The court has considered the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge that the case be dismissed for failure to exhaust administrative remedies and the objections to that Report and Recommendation. In his objections, the plaintiff attached documents tending to show that, as to the issues in this case, he attempted to proceed with the prison grievance process, but he never received a response from the Mississippi Department of Corrections. Thus, the plaintiff has provided *prima facie* evidence that he has exhausted his administrative remedies.

It is therefore ordered:

1. That the plaintiff's objections to the Magistrate Judge's Report and Recommendation are **SUSTAINED**;
2. That the court **DECLINES** to adopt the Report and Recommendation of the United States Magistrate Judge; and
3. That this case will **PROCEED**.

SO ORDERED, this, the 5th day of October, 2015.



SENIOR JUDGE