

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHAWN WOODWARD,

Plaintiff,

-v-

9:18-CV-83
(DNH/DJS)

J. GORI, Correctional Officer, formerly known as
John Doe #1; GELETA, Correctional Sergeant,
formerly known as John Doe #2; and K. CITUK,
Correctional Officer, formerly known as John
Doe #3,

Defendants.

APPEARANCES:

SHAWN WOODWARD
Plaintiff pro se
SBI # 977468B
South Woods State Prison
INM# 280741
215 Burlington Road South
Bridgeton, NJ05302

HON. LETITIA JAMES
Attorney General for the State of New York
Attorney for Defendants
The Capitol
Albany, NY 12224

RYAN L. ABEL, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Shawn Woodward brought this civil rights action pursuant to 42

U.S.C. § 1983. On March 31, 2020, the Honorable Daniel J. Stewart, United States

Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment based on failure to exhaust be denied without prejudice as premature. No objections to the Report- Recommendation were filed.

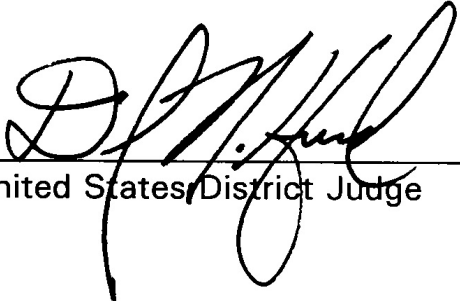
Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Defendants' motion for summary judgment based on failure to exhaust is DENIED without prejudice as premature.

IT IS SO ORDERED.



United States District Judge

Dated: April 24, 2020
Utica, New York.