

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CLARENCE ABNEY,  
Plaintiff**

**v.**

**CALEB YOUNKER, et al.,  
Defendants**

:  
:  
:  
:  
:  
:  
:

**No. 1:13-cv-1418**

**(Judge Kane)**

**(Magistrate Judge Carlson)**

**ORDER**

**AND NOW**, on this 12th day of January 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT**, in light of Defendants’ failure to demonstrate Plaintiff’s non-exhaustion of administrative remedies, Counts 1, 2 and 4 of Plaintiff’s complaint may proceed. **IT IS FURTHER ORDERED THAT** this case is recommitted to Magistrate Judge Carlson for further pretrial management.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania