

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

CHRIS WASHINGTON-EL,	:	
Plaintiff	:	CIVIL NO. 3:12-CV-1979
	:	
v.	:	(JUDGE NEALON)
	:	(MAGISTRATE JUDGE CARLSON)
ROBERT COLLINS, <u>ET AL.</u> ,	:	
Defendants	:	

ORDER

NOW, THIS 22ND DAY OF SEPTEMBER, 2016, for the reasons stated in the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' objections, (Doc. 123), to the Report and Recommendation, are **OVERRULED**;
2. The Report and Recommendation, (Doc. 122), is **ADOPTED**;
3. Defendants' affirmative defense that Plaintiff failed to exhaust his administrative remedies thus barring the instant action from proceeding, (Doc. 103), is **DENIED**; and
4. The matter is remanded to Magistrate Judge Martin C. Carlson for further proceedings.

/s/ William J. Nealon
United States District Judge

**FILED
SCRANTON**

SEP 22 2016

Per *Amo*
DEPUTY CLERK