

**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 10th DAY OF MARCH, 2015, for the reasons stated in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's objections, (Doc. 93), to the Report and Recommendation, are **OVERRULED**;
2. The Report and Recommendation, (Doc. 89), is **ADOPTED**;
3. Defendants' motion for summary judgment, (Doc. 54), is **GRANTED IN PART** and **DENIED IN PART**;
4. Counts two (2) and four (4) of Plaintiff's Amended Complaint, (Doc. 7), are **DISMISSED WITH PREJUDICE**, and all other remaining counts of Plaintiff's Amended Complaint, (Doc. 7), are **PERMITTED TO PROCEED**;
5. Plaintiff's Motion to Strike Defendant's Brief in Support of the Report and Recommendation, (Doc. 95), is **DENIED**; and
6. The matter is remanded to Magistrate Judge Martin C. Carlson for further proceedings, including a plenary hearing on the question of whether exhaustion of Plaintiff's remaining claims occurred.

/s/ William J. Nealon
United States District Judge