

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL BRODIE,	:	
Plaintiff	:	
v.	:	CIVIL ACTION NO. 3:15-0354
PA DEPT. OF CORRECTIONS,	:	(Judge Mannion)
<u>et al.</u>,		
Defendants	:	

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY**

ORDERED THAT:

1. Defendants' motion to dismiss Plaintiff's complaint for Plaintiff's failure to exhaust administrative remedies prior to filing the above captioned action (Doc. [16](#)), is **GRANTED**.
2. Plaintiff's motion for default judgment (Doc. [28](#)) is **DENIED**.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: September 28, 2016

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