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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DONALD SIAS, #1948601	§	
VS.	§	CIVIL ACTION NO. 6:17cv413
GEORGETTE JACOBS, ET AL.	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

The above-styled and numbered civil action was referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge (Dkt. #146), which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is accordingly

ORDERED that Defendant Georgette Jacobs's motion for summary judgment limited to the issue of exhaustion of administrative remedies (Dkt. #128) is **DENIED**. It is further

ORDERED that Mr. Sias may proceed with his Eighth Amendment claim against Defendant Georgette Jacobs.

So **ORDERED** and **SIGNED March 11, 2019.**

Ron Clark, Senior District Judge

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