

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL ELLIOTT,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

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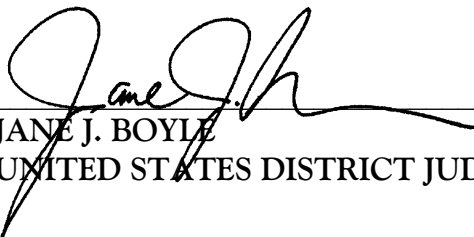
No. 3:16-CV-3231-B-BT

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated February 6, 2019. The Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objections were made. The objections are overruled.

IT IS THEREFORE ORDERED that Defendant Tammy Sherman's Motion for Summary Judgment on the Issues of Failure to Exhaust Administrative Remedies and Qualified Immunity (ECF No. 45) is **GRANTED**, and Plaintiff's claims against Defendant are **DISMISSED with prejudice**. Additionally, Defendant's request for attorneys' fees is **DENIED**.

SO ORDERED this 25TH day of February, 2019.



 JANE J. BOYLE
 UNITED STATES DISTRICT JUDGE