

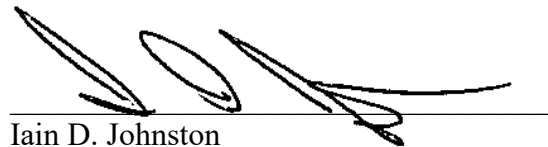
**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

Jeremy Washington,)	
)	
Plaintiffs,)	
)	Case No. 22 CV 50214
v.)	
)	Hon. Iain D. Johnston
)	
Nurse Mariel Kester, et al.,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Judge Jensen's Report and Recommendation [54] that this case be dismissed for failure to exhaust administrative remedies as required under the Prisoners Litigation Reform Act, *see* 42 U.S.C. § 1997e(a). After an evidentiary hearing Judge Jensen rejected the plaintiff's argument that the grievance procedure was unavailable to him because (1) he never received a response to his grievance, an assertion Judge Jensen found to be not credible and in any event did not excuse the plaintiff's abandoning the grievance procedure; (2) it was a procedural dead-end, an argument Judge Jensen concluded was really just the plaintiff disagreeing with the outcome of his grievances; and (3) the emergency grievance process was unclear, which Judge Jensen concluded was not credible because the plaintiff's testimony revealed he did in fact understand the grievance process. Judge Jensen gave the plaintiff until 8/8/2023 to object, but he did not timely object. The Court has carefully reviewed Judge Jensen's Report and Recommendation and finds it to be comprehensive and thorough. In the absence of any objection by the plaintiff, *see* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b), the Report and Recommendation [54] is accepted and the plaintiff's complaint [1] is dismissed for failure to exhaust administrative remedies. Civil case terminated.

Date: August 15, 2023


Iain D. Johnston
United States District Judge