

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CURTIS JONES,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 11-cv-0855-MJR-SCW
)	
TANYA KINER, DOCTOR NWAOBASI,)	
DOCTOR MAGID FAHIM, ILLINOIS)	
DEPT’T OF CORR., WEXFORD HEALTH)	
SOURCES, INC., DILDAY, &)	
LIEUTENANT LIEFER,)	
)	
Defendant.)	

ORDER ADOPTING REPORT & RECOMMENDATION

REAGAN, District Judge:

On September 22, 2011, *pro se* Plaintiff Curtis Jones—a state inmate at Illinois’ Menard Correctional Center—brought the instant lawsuit pursuant to 42 U.S.C. § 1983. Plaintiff’s Amended Complaint contains allegations that the individual and institutional defendants acted with deliberate indifference toward serious medical needs Plaintiff suffered in October 2009, in violation of his rights under the Eighth and Fourteenth Amendments. Plaintiff targets two groups of Defendants: the Illinois Department of Corrections (IDOC) and its employees Dilday, Kiner and Liefer; and IDOC medical contractor Wexford Health Sources (Wexford) and its employees Fahim and Nwaobasi.

The IDOC Defendants moved for summary judgment on January 9, 2013, and the Wexford Defendants followed suit in March 2013. Both motions were premised on the argument that Plaintiff failed to exhaust his administrative remedies as required by the Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e. On July 2 and August 1, 2013, and pursuant to 28 U.S.C.

§ 636(b)(1)(B), Local Rule 72.1(c), and *Pavey v. Conley*, 544 F.3d 739 (7th Cir. 2008), Magistrate Judge Stephen C. Williams held an evidentiary hearing on the motions. In an August 5, 2013 Report and Recommendation, Judge Williams found Plaintiff's grievances regarding his health issues were timely filed then rendered unavailable, and recommended denying both motions. (Doc. 94, 9–11).

The Report was sent to the parties with a "NOTICE" informing them of their right to appeal by way of an objection filed within fourteen days (and Judge Williams set a specific deadline: August 22, 2013). To date, no objections have been filed. Because the period in which objections may be filed has expired, pursuant to 28 U.S.C. § 636 (b)(1)(B) this Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985); *Banco Del Atlantico, S.A. v. Woods Indus.*, 519 F.3d 350, 354 (7th Cir. 2008); *Video Views, Inc. v. Studio 21, Ltd.* 797 F.2d 538, 539–40 (7th Cir. 1986).

Accordingly, the undersigned District Judge **ADOPTS (Doc. 94)** Magistrate Judge Williams' Report and Recommendation in its entirety and **DENIES** Defendants' respective Motions for Summary Judgment (**Doc. 58, Doc. 69**). The next round of dispositive motions (if any) are due on or before February 14, 2014, and the case remains set for trial on September 15, 2014.

IT IS SO ORDERED.

DATE: September 6, 2013

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge