

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ELMER D. CHARLES,)
)
 Plaintiff,)
v.) Case No. 1:13-cv-01820-JMS-DKL
)
CORIZON,)
)
 Defendant.)

ENTRY

The plaintiff's filing of February 20, 2014, shall be treated as his response to the defendant's motion for summary judgment for failure to exhaust administrative remedies. The defendant's reply shall be filed **not later than March 7, 2014**.

In his response, the plaintiff asserts that prison staff have prevented him from completing the administrative remedy process. In addition to asserting that argument, he requests that he be given additional time to complete the administrative remedy process. The plaintiff's motion for extension of time to complete exhaustion [dkt. 19] is **denied** because "[a] prisoner may not file a lawsuit before exhausting his administrative remedies, even if he exhausts those remedies while the litigation is pending." *Cannon v. Washington*, 418 F.3d 714, 719 (7th Cir. 2005).

IT IS SO ORDERED.

Date: 02/24/2014


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution

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