

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ACTORA MECONN BANKHEAD,)	
)	
Plaintiff,)	
)	
v.)	No. 1:23-cv-01600-SEB-TAB
)	
J. GRAY,)	
M. PFLEEGER,)	
)	
Defendants.)	

ORDER

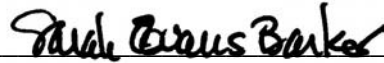
On April 28, 2025, Defendants Michael Pfleeger and Jarrod Gray moved for summary judgment on whether Plaintiff Actora Bankhead exhausted his administrative remedies before filing this suit. Dkt. 20. Plaintiff responded on May 16, 2025. Dkt. 26. Based on Plaintiff's response, Defendants now seek to withdraw their motion for summary judgment and to request a *Pavey* hearing. Dkt. 29. Defendants also request that the Court grant them 90 days to conduct additional discovery to determine whether a *Pavey* hearing would be appropriate in this matter. *Id.*

Defendants' motion, dkt. [29], is **granted in part**. Defendants' motion for summary judgment on the issue of exhaustion, dkt. [20] is **withdrawn**. The **clerk is directed** to terminate this motion. Defendants' request for a *Pavey* hearing is **granted**. Defendants will have **45 days** to conduct additional discovery to determine whether a *Pavey* hearing is necessary.

The Court *sua sponte* reconsiders Plaintiff's motion for assistance with recruiting counsel and that motion, dkt. [10], is now **granted** to the extent that the Court will attempt to recruit counsel to represent the Plaintiff for purposes of the *Pavey* hearing. Once counsel is recruited, the Court will set the hearing and any necessary preparatory proceedings.

IT IS SO ORDERED.

Date: 6/6/2025

A handwritten signature in black ink, appearing to read "Sarah Evans Barker", written over a horizontal line.

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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