

IN THE UNITED STATES DISTRICT COURT

FILED  
BILLINGS DIV.

FOR THE DISTRICT OF MONTANA

2010 JUN 1 PM 12 31

BILLINGS DIVISION

PATRICK E. DUFFY, CLERK  
BY \_\_\_\_\_  
DEPUTY CLERK

UNITED STATES OF AMERICA, )

CV-09-13-BLG-RFC-CSO

Plaintiffs, )

vs. )

ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS OF  
MAGISTRATE JUDGE

RONALD and BEVERLY OHLIN;  
STATE OF MONTANA, DEPT.  
OF REVENUE; and PORTFOLIO  
RECOVERY ASSOCIATES, LLC, )

Defendants. )

United States Magistrate Judge Carolyn Ostby has recommended the denial of the Ohlin’s Motion to Stay Pending Appeal. *Doc. 61*. Judge Ostby recommends the motion be denied because the Ohlins have not filed a supersedeas bond and have again failed to comply with Local Rule 7.1(c)(1).

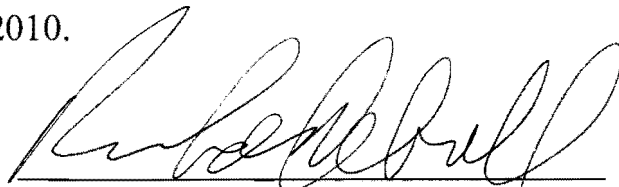
Upon service of a magistrate judge’s findings and recommendation, a party has 14 days to file written objections. 28 U.S.C. § 636(b)(1). The time for objection has expired and no objections have been filed. The failure to object waives all objections to the findings of fact, *Turner v. Duncan*, 158 F.3d 449, 455

(9th Cir. 1999), but does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After a reviewing of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

**IT IS HEREBY ORDERED** that the Ohlin's Motion to Stay (*Doc. 59*) is **DENIED**.

DATED the 18<sup>th</sup> day of June 2010.

  
RICHARD F. CEBULL  
UNITED STATES DISTRICT JUDGE