

FILED

APR 09 2015

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

BARRY K. HOLT,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY
GENERAL OF THE STATE OF
MONTANA,

Respondents.

No. CV 13-85-BLG-SEH

ORDER

On February 20, 2015, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation¹ in this matter. Petitioner filed objections on April 6, 2015.² The Court reviews *de novo* findings and recommendation to which objection is made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no clear error in Judge Ostby's

¹ Doc. 30.

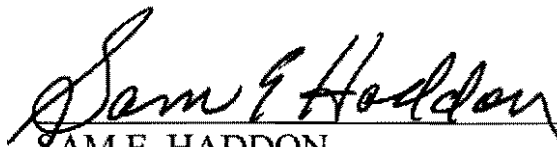
² Doc. 35.

Findings and Recommendation and adopt them in full.

ORDERED:

1. The petition³ is DENIED on the merits.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith as there has been no showing of any denial of constitutional rights and no reason to encourage further proceedings.

DATED this 9th day of April, 2015.



SAM E. HADDON
United States District Judge

³ Doc. 1.