

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

**FILED**

JAN 1 2 2015

Clerk, U S District Court  
District Of Montana  
Billings

KENTON DeVRIES,

Plaintiff,

vs.

PIONEER WIRELINE SERVICES,  
LLC, f/k/a PIONEER LOG-TECH,  
LLC, a Delaware Limited Liability  
Company, and JOHN DOES I-V,

Defendants.

CV 14-123-BLG-SPW-CSO

OPINION AND ORDER

Before the Court are United States Magistrate Judge Carolyn Ostby's Findings and Recommendations filed on December 10, 2014. In the Findings and Recommendations, Judge Ostby recommends that this Court deny Pioneer Wireline Services, LLC's Motion to Dismiss (Doc. 4).

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Ostby's Findings and Recommendations. No objections were filed. When neither party objects, this Court must still review Judge Ostby's conclusions for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After


reviewing the Findings and Recommendations, this Court does not find that Judge Ostby committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Ostby's Findings and Recommendations (Doc. 10) are ADOPTED IN FULL.

2. Defendant Pioneer Wireline Services, LLC's Motion to Dismiss (Doc.4) is DENIED.

DATED this 12<sup>th</sup> day of January 2015.

  
SUSAN P. WATTERS  
United States District Judge