

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
JUL 13 2015
Clerk, U.S. District Court
District Of Montana
Billings

ADAM BLASKOWSKI,

Plaintiff,

vs.

ELECTROLUX HOME
PRODUCTS, et al.,

Defendants.

CV-15-49-BLG-SPW

OPINION AND ORDER

Adam Blaskowski filed his Complaint on June 8, 2015. (Doc. 2). United States Magistrate Judge Carolyn Ostby entered Findings and Recommendations on June 16, 2015, in which she recommended that this Court dismiss Blaskowski's Complaint for improper venue. (Doc. 5).

Pursuant to 28 U.S.C. § 636(b)(1), Blaskowski had 14 days to file written objections after Judge Ostby's Findings and Recommendations were filed. On June 23, 2015, Blaskowski filed the notice of his right to object with "I would like to object (sic) these matters" scrawled on the bottom. (Doc. 6). This Court construes this filing as Blaskowski's objection and thus, Blaskowski is entitled to a de novo review of the Findings and Recommendations to which he objects. 28

U.S.C. § 636(b)(1). After de novo review, this Court adopts Judge Ostby's Findings and Recommendations and dismisses the Complaint.

I. Discussion

This Court is required to review de novo the portions of the Findings and Recommendations to which Blaskowski objects. 28 U.S.C. § 636(b)(1)(B). This Court construes Blaskowski's objection as arguing that Judge Ostby erred in determining that he failed to sufficiently plead proper venue. (Doc. 6).

After reviewing Blaskowski's Complaint, this Court agrees with Judge Ostby that Blaskowski has failed to state any basis for venue in Montana. *See* 28 U.S.C. § 1391(b). Because Blaskowski has failed to properly plead venue, his case is properly dismissed. 28 U.S.C 1406(a); *Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986).

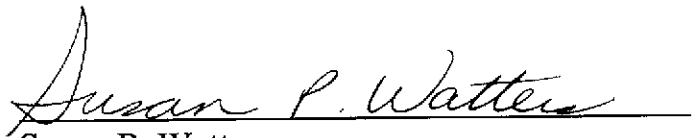
II. Conclusion

The Court finds no clear error. For the reasons given in the Findings and Recommendations, Blaskowski's Complaint is DISMISSED for improper venue and the Findings and Recommendations (Doc. 5) are adopted in full.

The Clerk of Court is directed to dismiss this case without prejudice.

The Clerk of Court is further directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED this 10th day of July 2015.

A handwritten signature in cursive script that reads "Susan P. Watters". The signature is written in black ink and is positioned above a solid horizontal line.

Susan P. Watters
United States District Court