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PATRICK E. DUFFY, CLERK

BY _____
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

MAURICE RONALD ARCHER,

Petitioner,

vs.

MIKE MAHONEY; ATTORNEY
GENERAL OF THE STATE OF
MONTANA,

Respondents.

No. CV 09-73-BU-SEH

ORDER

On February 8, 2010, United States Magistrate Judge Keith Strong entered Findings and Recommendations¹ in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no

¹ Docket No. 10.

objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Strong's Findings and Recommendation for clear error.

Upon review, I find no clear error in Judge Strong's Findings and Recommendations and adopt them in full.


ORDERED:

1. The Petition² is DISMISSED WITH PREJUDICE as procedurally defaulted.

2. The Clerk of Court is directed to enter a judgment in favor of Respondents and against Petitioner.

3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith as the petition is procedurally defaulted.

DATED this 2nd day of March, 2010.


SAM E. HADDON
United States District Judge

² Docket No. 1