

FILED
 2010 NOV 8 PM 1 31
 CLERK
 BUTTE DIVISION

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

KYM HUMPHREY,

Plaintiff,

vs.

BRIAN GOOTKIN, et al.,

Defendants

No. CV 09-92-BU-SEH

ORDER

On October 6, 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 objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Strong's Findings and Recommendations for clear error.

¹ Docket No. 15.

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

ORDERED:

1. The Amended Complaint² is DISMISSED.
2. The docket shall reflect the filing of this action constitutes one strike under 28 U.S.C. § 1915(g).
3. A certificate of appealability is DENIED. Any appeal from this disposition will not be taken in good faith due to the frivolous nature of the issues raised and inability to state a claim.

The Clerk is directed to enter judgment accordingly.

DATED this 8th day of November, 2010.


SAM E. HADDON
United States District Judge

² Docket No. 14.