

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

ROBERT PETERICH,

Plaintiff,

vs.

DR. MCGREE/ST. JAMES
HOSPITAL, SGT. LACI WILLIAMS,
CAPTAIN MARK JOHNSON, and
BUTTE SILVERBOW COUNTY
JAIL,

Defendants.

CV 15-65-BU-BMM-JCL

**ORDER ADOPTING UNITED STATES
MAGISTRATE JUDGE'S FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge Jeremiah Lynch entered Findings and Recommendations in this matter on January 25, 2016. (Doc. 31.) Neither party filed objections. When a party makes no objections, the Court need not review de novo the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149–152 (1986). The Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Lynch recommends that the Court grant Defendant Butte-Silver Bow Detention Facility/Center/Jail's Motion to Dismiss. (Doc. 13.) Judge Lynch also

recommends that the Court should deny without prejudice Plaintiff's Motion to Amend. (Doc. 22.) Plaintiff may, however, amend his Complaint within the deadline set by the Court's Scheduling Order to provide additional factual allegations against the County, if he can, in an attempt to meet the policy or custom elements set forth in the Findings and Recommendations. (Doc. 31.)

There exists no clear error in any of the Magistrate's Findings and Recommendations, therefore,

IT IS HEREBY ORDERED that Judge Lynch's Findings and Recommendations (Doc. 31) is **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that

(1) Defendant Butte-Silver Bow Detention Facility/Center/Jail's Motion to

Dismiss (Doc. 13) is **GRANTED**; and

(2) Plaintiff's Motion to Amend (Doc. 22) is **DENIED** without prejudice.

DATED this 10th day of February, 2016.



Brian Morris
United States District Court Judge