

FILED

JUL 02 2018

Clerk, U.S. District Court
District Of Montana
Great Falls

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

DYLAN LEE MONROE KLEIN,

CV-17-00104-GF-BMM-JTJ

Plaintiff,

vs.

ORDER

CASCADE COUNTY DETENTION
CENTER, PETER MOLNER,
DETENTION CENTER MEDICAL
STAFF, and SGT. GRUBB,

Defendants.

Plaintiff Dylan Klein has filed an Amended Complaint. (Doc. 12.) United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 4, 2018. (Doc. 13.) 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, 149-52 (1986). This 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).

A. Cascade County Detention Center

Judge Johnston determined that Cascade County Detention Center serves as a “facility established and maintained by an appropriate entity for the purpose of confining arrested persons or persons sentenced to the detention center.” Mont. Code Ann. § 7-32-2120. As a building, Cascade County Detention Center cannot be sued. Klein did not name Cascade County Detention Center in his Amended Complaint. The Court will dismiss Cascade County Detention Center.

IT IS ORDERED that Judge Johnston’s Findings and Recommendations (Doc. 13), are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Cascade County Detention Center is DISMISSED.

DATED this 2nd day of July, 2018.



Brian Morris
United States District Court Judge