

**IN THE UNITED STATES DISTRICT COURT**

FILED  
BILLINGS DIV.

**FOR THE DISTRICT OF MONTANA**

2010 MAR 5 PM 12 14

**BILLINGS DIVISION**

PATRICK E. DUFFY, CLERK

BY

DEPUTY CLERK

**UNITED STATES OF AMERICA,** )

**CV-09-13-BLG-RFC-CSO**

**Plaintiffs,** )

**vs.** )

**ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS OF**

**RONALD and BEVERLY OHLIN;  
STATE OF MONTANA, DEPT.  
OF REVENUE; and PORTFOLIO  
RECOVERY ASSOCIATES, LLC,** )

**MAGISTRATE JUDGE AND  
ORDER FOR JUDICIAL SALE**

**Defendants.** )

United States Magistrate Judge Carolyn Ostby has entered Findings and Recommendations (*Doc. 55*) on the Ohlin’s Motion to Dismiss Plaintiff’s Motion for Summary Judgment (*Doc. 51*). Judge Ostby recommends the motion be denied.

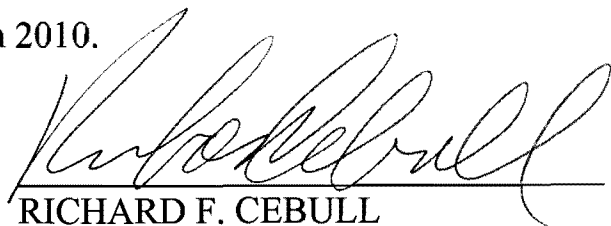
Upon service of a magistrate judge’s findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). The time for objection has expired and no objections have been filed. The failure to object waives all objections to the findings of fact, *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999), but does not relieve this Court of its burden to review de novo the

magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After a reviewing of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

**IT IS HEREBY ORDERED** that the Ohlin's Motion to Dismiss Plaintiff's Motion for Summary Judgment (*Doc. 51*) is **DENIED**.

DATED the <sup>lls</sup>5 day of March 2010.

  
RICHARD F. CEBULL  
UNITED STATES DISTRICT JUDGE