

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BILLINGS DIVISION

CLAYTON JAMES MASCARENA.

Petitioner,

No. CV 12-159-BLG-SEH

VS.

STATE OF MONTANA – 13TH JUDICIAL DISTRICT COURT and the ATTORNEY GENERAL of the STATE OF MONTANA,

ORDER

Respondents.

On June 4, 2013, United States Magistrate Judge Carolyn Ostby entered Findings and Recommendations<sup>1</sup> in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. <u>Thomas v. Arn</u>, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

Docket No. 86.

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

## ORDERED:

- 1. Petitioner's Petition for Writ of Habeas Corpus<sup>2</sup> is DENIED.
- 2. A Certificate of Appealability is DENIED.
- 2. The Clerk is directed to enter judgment accordingly.

DATED this 25 day of June, 2013

AM E. HADDON

United States District Judge

<sup>&</sup>lt;sup>2</sup>Document No. 1.