

JAN 27 2017

Clerk, U.S. District Court
District Of Montana
BillingsIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

NATHAN HERROD,

Plaintiff,

vs.

POPULASE COMMADERY OF
INTENT REPRODUCTION AND
COPY OF DOCUMENTS
IDENTIFICATION OF RECEIVED
PAPER WORK AND NOTES,

Defendants.

CV 16-125-BLG-SPW

ORDER

Before the Court are United States Magistrate Judge Timothy Cavan's Findings and Recommendations, filed on January 4, 2017. (Doc. 6). In his Findings and Recommendations, Judge Cavan recommends that this Court dismiss Herrod's case without prejudice.

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. No objections were filed. When neither party objects, this Court reviews Judge Cavan's conclusions for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After

reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.

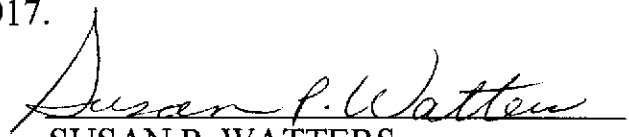
Accordingly, IT IS HEREBY ORDERED:

1. Judge Cavan's Findings and Recommendations (Doc. 6) are ADOPTED IN FULL.

2. The Clerk of Court is directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

3. The Clerk of Court is directed to have the docket reflect that the Court certifies pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure that any appeal of this decision would not be taken in good faith.

DATED this 27th day of January 2017.


SUSAN P. WATTERS
United States District Judge