

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

KRISTOFER MIKAL WRIGHT,

Plaintiff,

vs.

YELLOWSTONE DEPUTY MIKE
LINDER, CORRECTIONAL
OFFICER MUNTER, CHRISTOPHER
CARUSO, SAM BOFTO, TAMARA
OWENS, JANET GRIFFIN,
VANESSA READY, and VICTORIA
SCOTT,

Defendants.

CV 17-90-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on April 22, 2020. (Doc. 97). The Magistrate recommended the Court grant the Defendants' motions for summary judgment. (Doc. 97 at 21-21). On May 7, 2020, it came to the Magistrate's attention that Plaintiff Kristofer Mikal Wright's address had changed and he had not received the Magistrate's Findings and Recommendations. (Doc. 98). The Magistrate entered an order on May 7, 2020, extending the time to object an additional fourteen days. (Doc. 99).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and

Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). 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 Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 97) are ADOPTED IN FULL.

IT IS FURTHER ORDERED:

1. Defendants' Caruso, Ready, Scott, and Owens' First Motion for Summary Judgment (Doc. 55) is GRANTED.

2. Defendant Linder's Motion for Summary Judgment (Doc. 66) is GRANTED.

3. Defendant Bofto's Motion for Summary Judgment (Doc. 73) is GRANTED.

4. Officer Munter's Motion for Summary Judgment (Doc. 76) is GRANTED.

5. The Clerk is directed to enter judgment and close this matter.

6. The Clerk of Court is also 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 29th day of May, 2020.

A handwritten signature in cursive script that reads "Susan P. Watters". The signature is written in black ink and is positioned above a horizontal line.

SUSAN P. WATTERS
United States District Judge