

FILED

JUN 25 2019

Clerk, U S District Court
District Of Montana
Billings

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

KRISSY SANCHEZ,

Plaintiff,

vs.

CIERRA RASH, et al.,

Defendants.

Cause No. CV 17-156-BLG-SPW-TJC

KRISSY SANCHEZ,

Plaintiff,

vs.

STEVE BULLOCK, et al.,

Defendants.

Cause No. CV 18-90-BLG-SPW-TJC

KRISSY SANCHEZ,

Plaintiff,

vs.

FRIDEL LLC, et al.,

Defendants.

Cause No. CV 18-91-BLG-SPW-TJC

Plaintiff Krissy Sanchez filed these actions in November 2017 and May and June 2018. All three challenge defendants' actions in connection with the care and custody of her children. Generally, Plaintiff alleges the defendants seized her child without authority to do so, did so in an unreasonable manner, and compelled her to submit to unauthorized and unreasonable drug testing during the time she was attempting to regain custody of her child.

Before the Court are findings and recommendations issued by Judge Cavan on May 20, 2019. Judge Cavan's findings and recommendations were issued in a single order applicable to all three cases. Judge Cavan noted each complaint is a distinct and separate case, but for judicial efficiency, addressed the issues raised by the complaints and amended complaints in a single order. This Court proceeds likewise.

Because the Plaintiff is proceeding in forma pauperis, Judge Cavan screened the complaints and amended complaints to determine whether they are frivolous or malicious, fail to state a claim, or seek monetary relief against defendants who are immune. After screening the complaints and amended complaints, Judge Cavan determined certain defendants should be dismissed because they are either immune or the Plaintiff failed to state a claim against them.

The Plaintiff filed an objection, stating her amended complaints were meant to supplement, not supersede, her original complaints. The Plaintiff is likely

misinterpreting Judge Cavan's findings and recommendations. Judge Cavan screened both the complaints and amended complaints and determined against whom claims were made. Judge Cavan then ordered those defendants to be served with both the complaints and amended complaints. Judge Cavan did not supersede the original complaints with the amended complaints.

The Plaintiff also objected to the dismissal of the Yellowstone County officers named in the original complaint. However, the Plaintiff's amended complaint states she does not know the names of the officers against whom she alleges claims. Judge Cavan dismissed the named individuals from the case without prejudice and replaced them with Officers 1-4 a.k.a., John Does 1-4. The Plaintiff may amend her complaint again to name the specific officers when she discovers who they are.

The Plaintiff's final objection is to the dismissal of Defendant Jen Weber. However, the Plaintiff states no claim against Jen Weber and her objection likewise contains none.

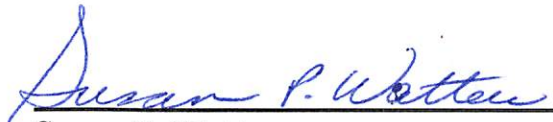
Accordingly, IT IS HEREBY ORDERED:

1. The findings and recommendation entered by Judge Cavan in 17-156-BLG-SPW-TJC (Doc. 17), 18-90-BLG-SPW-TJC (Doc. 11), and 18-91-BLG-SPW-TJC (Doc. 14) are adopted in full.
2. The Plaintiff's objections in 17-156-BLG-SPW-TJC (Doc. 20) and

18-90-BLG-SPW-TJC (Doc. 13) are overruled.

3. In 17-156-BLG-SPW-TJC, Defendants Deputy Lauwers, Sergeant Taylor, Deputy Cunningham, Jen Weber, and Deputy Mcave are DISMISSED. Defendant CFS Department of Health and Human Services State of Montana is DISMISSED WITH PREJUDICE.
4. In 18-90-BLG-SPW-TJC, Defendant Laurel Police Department is DISMISSED. Defendant DPHHS CPS is DISMISSED WITH PREJUDICE.
5. In Cause No. CV 18-91-BLG-SPW-TJC, Defendant DPHHS is DISMISSED WITH PREJUDICE.

DATED this 24th day of June, 2019.



Susan P. Watters
United States District Judge