

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

JUSTIN ALAN QUINLAN,

Petitioner,

vs.

PETER BLUDWORTH, WARDEN
CROSSROADS CORRECTIONAL
CENTER; ATTORNEY GENERAL
OF THE STATE OF MONTANA,

Respondents.

CV 21-108-BLG-SPW

ORDER ON MAGISTRATE'S
FINDINGS AND
RECOMMENDATIONS

Before the Court is United States Magistrate Judge Timothy Cavan's Findings and Recommendations filed September 2, 2022. (Doc. 13). Judge Cavan recommended denying and dismissing Claims 3-32 in Petitioner Justin Alan Quinlan's ("Petitioner") Petition for a Writ of Habeas Corpus (Doc. 1). Judge Cavan also requested Respondents Peter Bludworth and the Attorney General of the State of Montana ("Respondents") file additional documents necessary for resolution of Claims 1 and 2. (Doc. 14). Respondents filed the requested documents, but Judge Cavan has not issued recommendations on Claims 1 and 2.

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

Recommendations. Petitioner filed what the Court believes to be an objection,¹ but it was not timely filed. (Doc. 17).

When neither party objects, this Court reviews the 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 Recommendations, the Court finds no error.

IT IS ORDERED that the proposed Findings and Recommendations entered by Judge Cavan (Doc. 13) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Claims 3-32 in Petitioner Justin Alan Quinlan’s Petition for a Writ of Habeas Corpus are DENIED and DISMISSED with prejudice. Claims 1 and 2 will be addressed separately.

DATED this 17th day of November, 2022.



SUSAN P. WATTERS
United States District Judge

¹ Petitioner labeled his filing “Respon[s]e to States[’] Filing Documents,” which presumably would relate to Respondent’s exhibits filed in connection with Claims 1 and 2. (Doc. 17 at 1). However, the substance of the filing relates to Claims 8, 9, and 10, which leads the Court to believe that this filing was intended as an objection. (Doc. 17 at 2).