

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

GILBERT CAMPA,

Plaintiff,

vs.

CORRECTIONAL HEALTH
PARTNERS YELLOWSTONE
COUNTY DETENTION FACILITY
NURSE STAFF,

Defendants.

CV 21-136-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on June 28, 2022. (Doc. 36). The Magistrate recommended that Plaintiff's motion for preliminary injunction should be denied as moot and the action should be dismissed for failure to prosecute. (Doc. 36 at 3-4).

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. 36) are ADOPTED IN FULL.

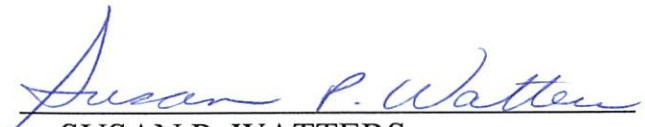
IT IS FURTHER ORDERED that Plaintiff Gilbert Campa’s motion for preliminary injunction (Doc. 24) is DENIED AS MOOT.

IT IS FURTHER ORDERED that this action is DISMISSED WITH PREJUDICE for failure to prosecute, pursuant to Fed. R. Civ. P. 41(b).

IT IS FURTHER ORDERED that Defendants’ motion to dismiss (Doc. 34) is DENIED AS MOOT.

The Clerk of Court is directed to enter, by separate document, a judgment of dismissal for failure to prosecute. The Court certifies that an appeal would not be taken in good faith.

DATED this 22nd day of July, 2022.


SUSAN P. WATTERS
United States District Judge