

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

**FILED**

MAR 14 2012

BUTTE DIVISION

PATRICK E. DUFFY CLERK  
BY \_\_\_\_\_  
Deputy Clerk  
U.S. DISTRICT COURT  
BILLINGS DIVISION

TAMMY L. LAWTON, )  
)  
Plaintiff, )  
)  
vs. )  
)  
MIKE MAHONEY; ATTORNEY )  
GENERAL OF THE STATE OF )  
MONTANA, )  
)  
Defendants. )  
\_\_\_\_\_ )

CV-11-81-BU-RFC-CSO


ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS OF  
U.S. MAGISTRATE JUDGE

On December 5, 2011, Petitioner Tammy Lawton, a state prisoner proceeding pro se, filed this action seeking a writ of habeas corpus under 28 U.S.C. § 2254. Subsequent Orders of this Court have all been returned as undeliverable because failed to keep the Court apprised of her current address. *Docs. 3, 5-7, & 9.* Accordingly, United States Magistrate Judge Ostby has recommended the petition for habeas corpus be dismissed without prejudice pursuant to Local Rule of Procedure 5.2(b). Not surprisingly, Lawton did not file objections to Judge Ostby's Findings and Recommendations within 14 days as required by 28 U.S.C. § 636(b)(1).

Accordingly, **IT IS HEREBY ORDERED** as follows:

1. Lawton's Petition (*doc. 1*) is **DISMISSED WITHOUT PREJUDICE**;
2. The Clerk of Court is directed to enter, by separate document, a judgment of dismissal; and
3. A certificate of appealability is **DENIED**.

DATED the 14th day of March, 2012.

  
\_\_\_\_\_  
RICHARD F. CEBULL  
UNITED STATES DISTRICT JUDGE