

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

TERRENCE F. HARDGROUND,

Plaintiff,

vs.

VALLEY COUNTY DETENTION
CENTER, et al.,

Defendants.

CV 15-100-GF-BMM

ORDER

Plaintiff Terrence Hardground (Hardground) is a Montana state prisoner proceeding *pro se*. Hardground filed a Complaint on November 12, 2015. (Doc. 2). The named Defendants are: Valley County Sheriff Glen Meier, Sheriff Meier's secretary, Detention Officer Darell Berhan, and Detention Officer Doug. (Doc. 2 at 5). Hardground alleges that the Defendants violated his rights under the United States Constitution in contravention of 42 U.S.C. § 1983 by interfering with documents he placed in the mail while he was incarcerated at the Valley County Detention Center. (Doc. 2).

United States Magistrate Judge John Johnston conducted an initial screening of Hardground's Complaint under 28 U.S.C. § 1915 on March 30, 2016. Judge Johnston determined that the Complaint failed to state a claim upon which relief may be granted. (Doc. 7). Judge Johnston explained why the Complaint failed to

state a cognizable claim for relief. (Doc. 7 at 3-5). Judge Johnston gave Hardground an opportunity to cure the defects in his Complaint. Judge Johnston directed Hardground to file an amended complaint on or before April 22, 2016. (Doc. 7 at 11). Hardground did not file an amended complaint.

Judge Johnston issued Findings and Recommendations in this matter on May 10, 2016. (Doc. 8). Judge Johnston recommended that Hardground's Complaint be dismissed for failure to state a claim. Hardground did not file objections to Judge Johnston's Findings and Recommendations.

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full.

Accordingly, IT IS ORDERED:

1. Hardground's Complaint (Doc. 2) is DISMISSED with prejudice.
2. The filing of this action counts as one strike for failure to state a claim.

28 U.S.C. § 1915(g).

3. Any appeal of this decision would not be taken in good faith as Hardground's claims are frivolous.

4. The Clerk is directed to enter judgment accordingly.

DATED this 8th day of June, 2016.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a horizontal line underneath it.

Brian Morris
United States District Court Judge