

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

JORY STRIZICH,

Plaintiff,

vs.

BOB EDWARDS, DAN O'FALLON,
KEITH KAULULAAU, and
RICHARD ENGLISH,

Defendants.

CV-16-00034-GF-BMM-JTJ

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

Plaintiff Jory Strizich, a prisoner in Cascade County Detention Center at the time, filed a Complaint *pro se* alleging violations of 42 U.S.C. § 1983 on April 18, 2016. (Doc. 2.) United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 5, 2016. (Doc. 19.) Neither party filed objections.

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston recommended that the Court deny Strizich's claims as moot because he has been released from custody (Doc. 19 at 2.) Judge Johnston cited to two Ninth Circuit cases in support of the proposition that "an inmate's release from prison while his claims are pending generally will moot any claims for injunctive relief relating to the prison's policies." Doc. 19 at 1-2, citing *Dilly v. Gunn*, 64 F.3d 1365, 1368 (9th Cir. 1995); *see also Alvarez v. Hill*, 667 F.3d 1061, 1063-64 (9th Cir. 2012).

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full. The Ninth Circuit has established that an inmate-plaintiff's released from custody renders claims related to prison policies moot. Strizich filed a Notice of Change of Address indicating that he was released from custody on October 4, 2016 (Doc. 19 at 1.)

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 19) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiff Jory Strizich's claims for injunctive relief as contained in his complaint (Doc. 2) are **DENIED AS MOOT**.

DATED this 1st day of November, 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