

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

BRIAN BLACKWELL,

Plaintiff,

v.

CASCADE COUNTY, SHERIFF BOB
EDWARDS, CASCADE COUNTY
CORRECTIONAL FACILITY, and
COMMANDER O'FALLON,

Defendants.

CV-18-13-GF-BMM-JTJ

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS**

Plaintiff Brian Blackwell filed a Complaint pursuant to 42 U.S.C. § 1983 alleging his conditions of confinement at the Cascade County Detention Facility violated his constitutional rights. (Doc. 2).

United States Magistrate Judge John Johnston issued an Order and Findings and Recommendations in this matter on August 3, 2018. (Doc. 11). Judge Johnston found []. Judge Johnston recommended that Defendant's Motion for a More Definite Statement (Doc. 6) be denied as moot, and Defendant's Motion to Dismiss (Doc. 6) be denied without prejudice. *Id.*

No party filed objections to Judge Johnston's Findings and Recommendation. The Court has thus reviewed the Findings and Recommendation 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 Recommendation, and adopts them in full.

ORDER

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 11) is **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Mr. Blackwell's claims of failure to protect, denial of access to the courts, and claims regarding housing state prisoners with federal prisoners is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Cascade County Correctional Facility is **DISMISSED**.

DATED this 29th day of October, 2018.



Brian Morris
United States District Court Judge