

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

TIMOTHY ERIC RITESMAN,

Plaintiff,

v.

GREAT FALLS REGIONAL PRISON
COUNTY OF CASCADE, et al.,

Defendants.

CV-18-133-GF-BMM-JTJ

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

United States Magistrate Judge Johnston entered Findings and Recommendations on December 7, 2018. (Doc. 7). Judge Johnston determined that Mr. Ritesman failed to state a federal claim upon which relief may be granted. *Id.* at 11. Judge Johnston further determined that given the lack of federal claims, coupled with the early stage of the litigation, the Court should exercise its discretion and remand this case to the state court from which it was removed. *Id.* at 12.

No party filed objections to Judge Johnston's Findings and Recommendations. The Court has reviewed the 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.

ORDER

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 7) are **ADOPTED IN FULL**.

IT IS ORDERED that Mr. Ritesman's federal claims are **DISMISSED**.

The Court will decline to exercise supplemental jurisdiction over the remaining state law claims under 28 U.S.C. § 1367(c)(3) and **IT IS ORDERED** that this case is **REMANDED** to the Eighteenth Judicial District Court of the State of Montana, Cascade County.

The Clerk of the Court is further directed to have the docket reflect that the Court certifies pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure that any appeal of this decision is not to be taken in good faith.

DATED this 24th day of December, 2018.



Brian Morris
United States District Court Judge