

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

GEORGE COLLINS,

Cause No. CV 07-11-H-DWM-RKS

Plaintiff,

vs.

FINDINGS AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE

STATE OF MONTANA,

Defendant.

On February 8, 2007, George Collins moved to proceed in forma pauperis in this matter with an appeal from a decision of the Montana Supreme Court. This Court is a federal district court. “[F]ederal district courts have ‘no authority to review the final determinations of a state court in judicial proceedings.’” *Gruntz v. County of Los Angeles (In re Gruntz)*, 202 F.3d 1074, 1078 (9th Cir. 2000) (en banc) (quoting *Worldwide Church of God v. McNair*, 805 F.2d 888, 890 (9th Cir. 1986)). While there are narrow exceptions to this general rule, none of them appear pertinent here. Collins is not incarcerated. *See* Compl. (doc. 1) at 2, ¶ I.A. Accordingly, the Court lacks jurisdiction and the case should be dismissed.

Based on the foregoing, the Court enters the following:

FINDINGS AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE/ PAGE 1

RECOMMENDATION

The action should be DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction. All motions should be deemed MOOT.

The Clerk of Court shall serve a copy of the Findings and Recommendation of the United States Magistrate Judge upon the Plaintiff. Plaintiff is advised that, pursuant to 28 U.S.C. § 636, any objections to these findings must be filed within ten (10) working days after the entry date reflected on the Notice of Electronic Filing, or objection is waived.

Collins must immediately notify the Court of any change in his mailing address. Failure to do so may result in dismissal of this case without notice to him.

DATED this 16th day of February, 2007.

/s/ Keith Strong
Keith Strong
United States Magistrate Judge