

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

FILED
APR 19 2017
Clerk, U.S. District Court
District Of Montana
Missoula

RICHARD GENE WASHINGTON,

CV 15-0028-H-DLC-JTJ

Plaintiff,

ORDER

vs.

LANCE GRIFFIN, HEIDI ABBOTT,
LAURA JANES, CONNIE WINNER,
CATHY REDFERN, TRISTAN
KOHUT, and SCOTT PIRANIAN,

Defendants.

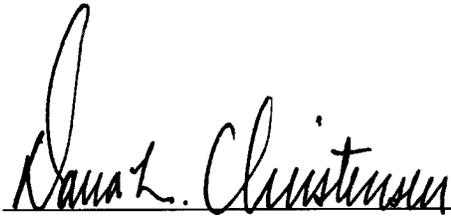
United States Magistrate Judge John T. Johnston entered findings and recommendations in this case on February 9, 2017, recommending that Plaintiff Richard Gene Washington's ("Washington") Motion to Dismiss Dr. Tristan Kohut (Doc. 52) be granted and that Dr. Kohut be dismissed as a defendant in this action. No party objected to the findings and recommendations, and so they have waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). This Court reviews for clear error those findings and recommendations to which no party objects. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been

committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Having reviewed the findings and recommendations, the Court finds no clear error in Judge Johnston’s conclusion.

Accordingly, IT IS ORDERED that Judge Johnston’s Findings and Recommendations (Doc. 53) are ADOPTED IN FULL. Dr. Tristan Kohut is DISMISSED as a Defendant in the above-captioned case.

DATED this 19th day of April, 2017.

A handwritten signature in black ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, Chief Judge
United States District Court