FILED
SEP 11 2017
Clerk, U S District Court
District Of Montana
Missoula

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

MATTHEW MICHAEL CONVERSE,	CV 16–00039–H–DLC–JTJ
Plaintiff,	
vs.	ORDER
TRISTAN KOHUT, et al.,	
Defendants.	

United States Magistrate Judge John T. Johnston entered Findings and

Recommendations in this case on August 16, 2017, recommending that Plaintiff

Matthew Converse's ("Converse") complaint be dismissed. Converse did not

object to the Findings and Recommendations, and so has 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
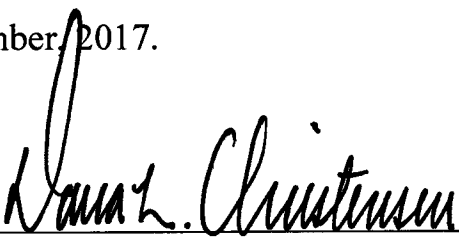
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clear error in Judge Johnston's conclusion that Converse failed to comply with the Court's April 10, 2017 Scheduling Order (Doc. 18) and the Court's June 27, 2017 Order (Doc. 24). Converse also failed to respond to Defendants' Motion for Leave to File an Amended Answer.

Accordingly, IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 30) is ADOPTED IN FULL. This case is DISMISSED pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Clerk of Court shall CLOSE this matter, enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure, and terminate all pending motions.

IT IS FURTHER ORDERED that the Clerk of Court is 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 would not be taken in good faith.

DATED this 11th day of September, 2017.

Dana L. Christensen, Chief Judge
United States District Court