

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

CHARLES DUSTIN RICKETT,

Plaintiff,

v.

LEROY KIRKGARD, DARCY
HUNT, MIKE BATISTA, BEN
BOULEY, and KRISTY COBBAN,

Defendants.

CV-17-02-H-BMM-JTJ

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

United States Magistrate Judge Johnston entered Findings and Recommendations on November 27, 2018. (Doc. 25). The Court issued an Order requiring Mr. Rickett to show cause as to why this matter should not be dismissed for failure to prosecute. (Doc. 24). Judge Johnston determined Mr. Rickett failed to respond and show cause. (Doc. 25).

No party filed objections to Judge Johnston's Findings and Recommendations. The Court has 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 Recommendations and adopts them in full.

ORDER

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 25) are **ADOPTED IN FULL**.

IT IS ORDERED that this matter is **DISMISSED** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Clerk of the Court is directed to close this matter, enter judgement pursuant to Rule 58 of the Federal Rules of Civil Procedure, and terminate all pending motions.

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 17th day of December, 2018.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris
United States District Court Judge