

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

FILED

MAY 17 2019

Clerk, U.S. Courts
District Of Montana
Missoula Division

BRADLEY V. JACKSON,

Plaintiff,

vs.

MONTANA STATE PRISON,
WARDEN MICHAEL FLETCHER,
MARRISA BOSTWICK and
TIFFANY MORRISON,

Defendants.

CV 18-01-H-DLC-JTJ

ORDER

United States Magistrate Judge John T. Johnston entered his Findings and Recommendations on March 14, 2019, recommending that this matter be dismissed for failure to prosecute. (Doc. 18 at 4.) Plaintiff 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). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *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). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 18) are ADOPTED IN FULL and this matter is DISMISSED pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that the Clerk of Court is directed to enter judgment pursuant to Federal Rule of Civil Procedure 58, terminate all pending motions, and close this case.

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

DATED this 17th day of May, 2019.



Dana L. Christensen, Chief District Judge
United States District Court