

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

FILED
AUG 23 2018
Clerk, U.S. District Court
District Of Montana
Missoula

JORDAN KEEFE,

Plaintiff,

vs.

M.S.P. MONTANA STATE, and
MONTANA BOARD OF PARDONS
AND PAROLE MEMBERS CARTER,
CRUSE, and BELL,

Defendants.

CV 18-45-H-DLC-JTJ

ORDER


United States Magistrate Judge John T. Johnston entered his Order and Findings and Recommendations (Doc. 6) in this case on June 20, 2018, recommending Plaintiff Jordan Keefe's case be dismissed as barred by the Eleventh Amendment. (Doc. 6 at 6-8.) By failing to timely object to the Order and Findings and Recommendations, Keefe waived the right to de novo review of the record. 28 U.S.C. § 636(b)(1). The Court will therefore review the record for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Johnston's Order and Findings and Recommendations (Doc. 6) are ADOPTED IN FULL and this matter is DISMISSED.

IT IS FURTHER ORDERED that the Clerk of Court is directed to close this matter and enter judgment pursuant to Federal Rule of Civil Procedure 58.

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. The record makes plain that the instant Complaint is frivolous as it lacks arguable substance in law or fact.

DATED this 23rd day of August, 2018.



Dana L. Christensen, Chief Judge
United States District Court