

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

FILED
AUG 06 2018
Clerk, U.S. District Court
District Of Montana
Missoula

J-D ANDERSON,

Plaintiff.

MC 18-3-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations on June 26, 2018, recommending Plaintiff J-D Anderson's ("Anderson") "Declaration of Status" (Doc. 1) be dismissed without leave to amend pursuant to Federal Rules of Civil Procedure 8 and 12(b)(1). (Doc. 4 at 2.) On July 2, 2018, Anderson filed a letter which this Court will treat as an objection.(Doc. 18 at 1.) Anderson is entitled to de novo review of those findings and recommendation to which he specifically objects. 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). “A party makes a proper objection by identifying the parts of the magistrate’s disposition that the party finds objectionable and presenting legal argument and supporting authority, such that the district court is able to identify the issues and the reasons supporting a contrary result.” *Montana Shooting Sports Ass’n v. Holder*, 2010 WL 4102940, at *2 (D. Mont. Oct. 18, 2010) (citation omitted).

Judge Lynch concluded, and this Court agrees, that Anderson’s “Declaration of Status is “virtually incomprehensible,” “entirely frivolous,” fails to “state a basis for federal subject matter jurisdiction,” “does not identify any defendant or legal claims, and does not provide a demand for relief.” (Doc. 4 at 2.) Anderson’s objection is similarly defunct and incomprehensible. More importantly, it does not address the findings of fact or legal conclusions of Judge Lynch and, consequently, Judge Lynch’s Findings and Recommendations are reviewed for clear error.

Reviewing for clear error and finding none,

IT IS ORDERED that Judge Lynch’s Findings and Recommendations (Doc. 4) are ADOPTED IN FULL, this matter is DISMISSED without leave to amend pursuant to Rule 8 and Rule 12(b)(1).

DATED this 6th day of August, 2018.



Dana L. Christensen, Chief Judge
United States District Court