



Grigg v. Benson

2023 | Cited 0 times | D. Montana | July 6, 2023

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

MISSOULA DIVISION

PETER GRIGG, Plaintiff, vs. BARBARA BENSON, Defendant.

CV 23 67 M DLC KLD

ORDER

Order and Findings and Recommendation. (Doc. 4.) Judge DeSoto recommends

claim on which relief should be granted and certifying that any appeal from this disposition would not be taken in good faith. The Court agrees and will adopt

A party is only entitled to de novo review of those findings to which he or she specifically objects. 28 U.S.C. § 636(b)(1)(C). In the absence of an objection, this Court reviews findings for clear error. See *Thomas v. Arn*, 474 U.S. 140, 149 out

United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). object to her conclusions (Doc. 4 at 6), but he did not object.

Master Barbara Benson is entitled to absolute quasi-judicial immunity concerning ll stem from her unquestionably judicial acts performed within her jurisdiction while presiding as Special Master ies identified

cannot be cured by amendment of the complaint, and because amendment would be futile, the complaint should be dismissed with prejudice. (Id.)

Recommendation (Doc. 4) is ADOPTED IN FULL.

DISMISSED WITH PREJUDICE.



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IT IS FURTHER ORDERED that the Clerk of Court is directed to close the case and enter judgment in favor of the defendant pursuant to Rule 58 of the Federal Rules of Civil Procedure.

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. No reasonable person could suppose an appeal would have merit. The record makes plain the instant Complaint lacks arguable substance in law or fact. DATED this 6th day of July, 2023.

