

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

**FILED**

SEP 03 2015

Clerk, U.S. District Court  
District Of Montana  
Helena

DISABILITY RIGHTS MONTANA,  
INC., on behalf of all prisoners with  
serious mental illness confined to the  
Montana State Prison,

CV 15-22-BU-SEH

Plaintiff,

**ORDER**

vs.

MIKE BATISTA, in his official  
capacity as Director of the Montana  
Department of Corrections; and  
LEROY KIRKEGARD, in his official  
capacity as warden of Montana State  
Prison,

Defendants.


The Court held a hearing on Defendants' motion to dismiss for failure to state a claim on September 3, 2015. Upon the record made in open court,

ORDERED:

Defendants' Motion to Dismiss<sup>1</sup> is GRANTED.

This case is DISMISSED.

Dated this 3<sup>rd</sup> day of September, 2015.

  
SAM E. HADDON  
United States District Judge

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<sup>1</sup> Doc. 10.