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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID LARSON, et al.)	Case No. 1:10-cv-01774 OWW JLT
)	
Plaintiffs,)	FINDINGS AND RECOMMENDATIONS
)	DENYING PLAINTIFF BAKER’S MOTION
vs.)	TO PROCEED IFP
)	
CENTRAL INTELLIGENCE AGENCY,)	(Doc. 14)
et al.,)	
)	
Defendants.)	
_____)	

Plaintiff Brandi Baker moved this Court for an order allowing her to proceed in forma pauperis (“IFP) on appeal. (Doc. 14) However, in her motion, Ms. Baker failed to provide a sworn statement outlining her ability to pay the filing fee on appeal.

On January 31, 2011, the Court ordered Ms. Baker to file, within ten days, a further motion to proceed IFP, *signed* under penalty or perjury, that contained all of the pertinent information. (Doc. 15 at 2) The order read, “**Baker is admonished that failure to comply with this order may result in denial of her motion to proceed *in forma pauperis*.**” (Id., emphasis in the original.)

Nevertheless, Plaintiff Baker has failed to file a amended motion to proceed IFP.

1 Therefore, the Court recommends that the motion be **DENIED**.

2 This Findings and Recommendations is submitted to the United States District Court
3 Judge assigned to the case pursuant to the provisions of 28 U.S.C. § 636 (b)(1)(B) and Rule 304
4 of the Local Rules of Practice for the United States District Court, Eastern District of California.
5 Within 14 days after being served with a copy of this Report and Recommendation, any party
6 may file written objections with the Court and serve a copy on all parties. Such a document
7 should be captioned “Objections to Magistrate Judge’s Findings and Recommendation.” Replies
8 to the Objections shall be served and filed within 14 days after service of the Objections. The
9 Court will then review the Magistrate Judge’s ruling pursuant to 28 U.S.C. § 636 (b)(1)(C). The
10 parties are advised that failure to file objections within the specified time may waive the right to
11 appeal the Order of the District Court. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

12
13 IT IS SO ORDERED.

14 Dated: February 17, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE