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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL CONTRERAS aka
LOFOFORA EVA CONTRERAZ,

Plaintiff,

v.

D. IBARRA, et al.,

Defendants.

CASE NO: 1:11-cv-01523-LJO-GBC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND REVOKING
PLAINTIFF’S IN FORMA PAUPERIS
STATUS, PURSUANT TO SECTION 1915(g)
AND REQUIRING PLAINTIFF TO PAY
FILING FEE WITHIN FIFTEEN DAYS

Docs. 13, 19

On September 9, 2011, Plaintiff Michael Contreras (“Plaintiff”), a prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. Doc. 1. On October 20, 2011, the Court granted Plaintiff’s motion to proceed in forma pauperis. Doc. 13. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 19, 2012, the Magistrate Judge issued [Findings and Recommendations](#), recommending revocation of Plaintiff’s in forma pauperis status pursuant to 28 U.S.C. § 1915(g) and requiring Plaintiff to pay the filing fee within fifteen days. Doc. 19. Plaintiff has not filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Court adopts the Findings and Recommendations, filed on November 19, 2012,
3 in full;
- 4 2. The Court's order of October 20, 2011, is VACATED, which directed the Director
5 of the California Department of Corrections and Rehabilitation or his designee to
6 deduct the \$350.00 filing fee from Plaintiff's trust account whenever the balance
7 exceeds \$10.00;
- 8 3. That the Clerk of the Court to serve a copy of this order on (1) the Financial
9 Department, U.S. District Court, Eastern District of California, Fresno Division and
10 (2) the Director of the California Department of Corrections and Rehabilitation via
11 the Court's electronic case filing system (CM/ECF); and
- 12 4. That Plaintiff pay the \$350.00 filing fee in full within **fifteen (15) days** or this action
13 will be dismissed, without prejudice.
- 14
- 15

16 IT IS SO ORDERED.

17 **Dated: December 11, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE