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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,
Plaintiff,
v.
ROBERT S. MUELLAR, III, et al.,
Defendants.

CASE NO. 1:16-cv-00410-LJO-MJS (PC)
**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S MOTION TO PROCEED IN
FORMA PAUPERIS AND REQUIRE
PAYMENT OF FILING FEES IN FULL
WITHIN FORTY-FIVE DAYS**
(ECF No. 4)

Plaintiff is a state prisoner proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983. 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 March 29, 2016, the Magistrate Judge issued findings and recommendations to deny Plaintiff's motion to proceed in forma pauperis and to require Plaintiff to pay the filing fee in full. (ECF No. 4.) Plaintiff filed no objections and the time for doing so has passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
2 304,, the Court has conducted a de novo review of this case. Having carefully reviewed
3 the entire file, the Court finds the findings and recommendations to be supported by the
4 record and by proper analysis.

5 Accordingly, it is HEREBY ORDERED that:

- 6 1. The Court adopts the March 29, 2016 findings and recommendations (ECF
7 No. 4) in full;
- 8 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is DENIED;
- 9 3. Plaintiff shall pay the \$400 filing fee in full within forty-five days of entry of
10 this order; and
- 11 4. If Plaintiff fails to pay the \$400 filing fee in full by the above deadline, all
12 pending motions will be terminated and the action will be dismissed without
13 prejudice.

14
15 IT IS SO ORDERED.

16 Dated: April 21, 2016

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