

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

MICHAEL J. HICKS,	)	
	)	
Plaintiffs,	)	CV 07-CV-00006-BLW-LMB (PC)
	)	
v.	)	
	)	<b>ORDER ADOPTING REPORT</b>
J. BLACKBURN, JOHN DOES 2	)	<b>AND RECOMMENDATION</b>
THRU 5, et al.,	)	
	)	
Defendants.	)	
_____	)	

The Court has before it a Report and Recommendation filed by the United States Magistrate Judge. (Docket No. 43.) The time period for filing objections to the Report has passed without either party filing an objection. Having reviewed the Report and Recommendation and having independently reviewed the record in this case, the Court finds that the Report and Recommendation reflects an appropriate application of the law to the facts of this case. Therefore, the Court adopts the Report and Recommendation in full.

**ORDER**

NOW THEREFORE IT IS HEREBY ORDERED that the Report and Recommendation (Docket No. 43) is ADOPTED in full.

IT IS FURTHER HEREBY ORDERED that Defendant's Motion to Revoke Plaintiff's in Forma Pauperis Status (Docket No. 40) is GRANTED, and Plaintiff's in Forma Pauperis Status is REVOKED.

IT IS FURTHER HEREBY ORDERED that Plaintiff shall have thirty (30) days from the date of this Order to pay the full filing fee, and thereafter, thirty (30) additional days to reimburse the U.S. Marshal Service for the costs of service, if any. Failure to pay these fees and costs within this time frame will result in dismissal of Plaintiff's case without prejudice under Rule 41 without further notice to Plaintiff.

DATED: **December 31, 2009**



A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

Honorable B. Lynn Winmill  
Chief U. S. District Judge