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

LAFAYETTE CADE,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

1:08 CV 00183 AWY YNP GSA (PC)

ORDER RE: FINDINGS &
RECOMMENDATIONS

Document # 12

Plaintiff is a former state prisoner proceeding pro se in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On September 23, 2009, [findings and recommendations](#) were entered, recommending that Plaintiff be denied leave to proceed in forma pauperis. Plaintiff was provided an opportunity to file objections within thirty days. Plaintiff has not filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-305, this 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 proper analysis.

1 Accordingly, THE COURT HEREBY ORDERS that:

2 1. The Findings and Recommendations issued by the Magistrate Judge on
3 September 23,2009, are adopted in full; and

4 2. Plaintiff’s application to proceed in forma pauperis is denied pursuant to 28
5 U.S.C. § 1915(g).

6 3. Plaintiff is directed to submit, within thirty days of the date of service of this
7 order, the \$350 filing fee for this action in full. Plaintiff’s failure to do so will result in dismissal
8 of this action pursuant to Local Rule 11-110 for failure to obey a court order.

9
10 IT IS SO ORDERED.

11 **Dated: October 28, 2009**

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE